

THE CODE IN PRACTICE:

**The Impact on Schools
and LEAs**

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Published in December 1996
by the National Foundation for Educational Research,
The Mere, Upton Park, Slough, Berkshire SL1 2DQ

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Registered Charity No. 313392
ISBN 0 7005 1442 2

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ACKNOWLEDGEMENTS

We would like to thank all those who contributed to the work of this project: LEA advisers and officers, staff from social services, health authorities and careers services, members of the NFER Advisory group, and especially, staff and governors from the 20 case-study schools. In the interests of confidentiality we cannot identify those schools, but we would like to acknowledge our gratitude to them for inviting us in.

We would also like to thank Sandra Jowett and Felicity Fletcher-Campbell for all their work on the early phases of the project, David Hewitt for his statistical input, Judy Bradley for her support and all the NFER staff who were involved in the production and publication of this report.

CHAPTER 1

INTRODUCTION

Since its publication, the *Code of Practice on the Identification and Assessment of Special Educational Needs* has received wide acclaim as representing a much needed model of good practice. It has been accepted and welcomed in principle as representing the best practice that already exists in schools (see for example, Garner, 1995). Evidence suggests that whilst some schools have found it overwhelming, others have found that it required little action over and above the continuing implementation of policies and procedures that were already in place. As expected, the extent to which schools have coped with the implementation of the Code has reflected the extent to which the policies and procedures it recommended were already in operation (Pyke, 1995). The ways in which the Code has affected existing local education authority and school practices, and shaped new practice, two years into its implementation, are addressed in this report.

1.1 What does the Code promote?

The Code sets out a staged approach to the assessment of pupils' needs and the way in which those needs should be met at each stage. It describes in detail the procedures to be followed, within strict timescales, in drawing up a statement of special educational needs and it lays out plans for annual review arrangements. In all sections, the responsibilities of LEAs, other professional agencies and schools are clearly identified and the need for pupils and parents to be consulted and informed at appropriate points is strongly emphasised. The Code acknowledges that there is a continuum of needs, most of which will be met within the mainstream and without a statutory assessment. In order for this to be achieved, such needs should be identified and assessed as early as possible.

1.2 The status of the Code

The Code of Practice is not a statutory instrument and does not in itself impose duties. The Code offers guidance to the statutory regulations set out in Part III of the Education Act 1993 which states that all those to whom the Code applies must have regard to it. In discussions on the status of the Code, Baroness Blatch, then Minister of State at the Department for Education, explained that it '*will deal with matters which are not susceptible to hard and fast rules, matters where an element of judgement is always required*' hence its non-statutory status (Hansard, HL, 1993, p.486).

The status of such an important document has in fact fired considerable debate, not only in the House of Lords but throughout the research literature. Baroness Warnock expressed reservations about the proposed status of the Code and registered her support for anything that would strengthen it (op. cit.). Her main concern was that whilst it is possible to have regard to a demand, one may '*not be able or willing to bring about exactly what is demanded*' (Warnock, 1994, p.28). The status of the Code allows a flexibility in which schools must follow the aims and objectives of the Code but are able to organise the practice and procedures '*as it suits them to do so*' (ACE, 1994). Whether or not what '*suits*' a school is synonymous with the best provision for a pupil with special educational needs is questionable (see Garner, 1995) but has more to do with a school's ability to judge the effectiveness of provision than the status of the Code *per se*.

The foreword to the Code emphasised that it was not expected that all schools would have all procedures in place by September 1st 1994. It acknowledged that variations in practice between individual schools would depend upon their particular circumstances, would develop with time and would be dependent upon the school's starting point. For example, schools may have had regard to the Code in the drawing up of policies and procedures but the extent to which they had been implemented would depend upon the scale of the changes made. Furthermore, given its flexibility, LEAs and schools would have different concepts of the degree of detail to which it should be implemented. Research evidence to date suggests that schools have been rigorous in their interpretation of what is required (Pyke, 1995) but as difficulties relating to workload and administration emerge, some may be tempted to modify their efforts. The timing of the NFER research enabled the team to investigate the ways in which practice has been modified since initial research took place into the implementation of the Code and to focus on the achievements, as well as the difficulties, encountered in bringing the principles embodied in the Code to fruition.

1.3 The need for a Code of Practice

The need for a Code of Practice or some similar document became evident and perhaps inevitable as a result of the findings reported in *Getting in on the Act* (GB. DES. HMI and Audit Commission, 1992). The study, carried out in 12 LEAs and 77 schools, discovered serious deficiencies in current procedures for implementing the Education Act 1981. A frequently held view in the related literature is, therefore, that the Code was designed to correct the deficiencies of the Act (Loxley and Bines, 1995) which was not

working effectively (for example, Dyer, 1995). One such deficiency which is commonly identified is the lack of provision made for the 18 per cent of pupils, identified by Warnock (Warnock Report, 1978), as having special needs but without statements. The Code is believed to be the Government's attempt to offer more support to the 'neglected 18 per cent' (Peter, 1994).

The lack of clarity of the 1981 Act, in terms of pupils with statements and the criteria by which they were identified, encouraged rather than limited inequalities in provision. Moreover, the stages, as then described by Warnock, were seen more as steps towards a statement than supportive in their own right. Whilst the 1981 Act is heavily criticised, and evidence for the condemnation is found in *Getting in on the Act*, it should be noted that, by the time that research was undertaken, LEAs were operating the Local Management of Schools initiative (LMS) which created a very different environment from that in which the 1981 Act was introduced. Other initiatives such as parental choice and league tables also contributed to the imposition of market forces on the education system (see Bines and Thomas, 1994). The Code of Practice was therefore seen as necessary in order to redress the balance (for example, Loxley and Bines, 1995; Desforges and Lindsay, 1994) and create equality in provision for pupils with special educational needs (Bines and Thomas, 1994). In doing so, the Code has raised the profile of special educational needs and has provided an opportunity for it to be at the top of the agenda for everyone concerned.

1.4 The NFER research

The research project reported here was undertaken by the National Foundation for Educational Research (NFER) from July 1995 to October 1996. Its aim was to explore the issues surrounding *The Implementation of the Code of Practice on the Identification and Assessment of Special Educational Needs*. The project ran alongside a further study concerned with the *Integration of Pupils with Special Needs into Mainstream Schools* (see Lee and Henkhuzens, 1996). There were, inevitably, issues which overlapped between the two projects and these have been cross-referenced in each report wherever possible. Both projects were part of the Foundation's Membership Programme, funded by the Council for Local Education Authorities.

The project set out to investigate:

- changes in LEA patterns of provision, support and resourcing;
- LEA support to schools;
- LEA monitoring of their own and schools' procedures;

- changes in the way support is provided in schools, with a particular focus on the role of the special educational needs coordinator (SENCO);
- the effects of the implementation of the Code on pupils at different stages of the assessment process;
- the effects of the Code in the context of progression and assessment within the National Curriculum.

The research comprised three main phases.

A questionnaire was sent to all local education authorities in England and Wales seeking information on both the implementation of the Code of Practice and integration. The questionnaire was designed in this way as the two projects were being undertaken in parallel. The questions on the Code focused on:

- LEA support to schools
- Training
- Monitoring and evaluation
- LEA staffing

Respondents were also invited to submit any relevant documentation. The questionnaire was completed and returned by 55 LEAs and, after analysis of the responses and accompanying documentation, interviews were conducted with officers in 21 LEAs to follow up comments on the questionnaire returns and to gather further details on their policy and practice.

On the basis of information from these 21 LEAs, case study work was undertaken in five authorities which were identified as examples of interesting or innovative practice in relation to the implementation of the Code of Practice. London borough, metropolitan and shire county authorities were represented. In the spring term 1996, interviews were held with LEA personnel (including officers, inspectors, advisers and educational psychologists) and representatives from social services, health authorities and careers services (see Appendix 2). In the summer term, school-based interviews were undertaken: LEA officers from each of the case study authorities nominated two primary and two secondary schools which were perceived by the LEA to have effective practice in relation to the implementation of the Code of Practice. One large and one small school, and a mix of rural and urban schools were selected in each age phase and invited to participate in the interview programme.

Twenty schools were visited in the summer term 1996 and governors and a range of staff were interviewed (see Appendix 2). A case study approach was used to obtain a thorough understanding of the strategies adopted by each school and the context in which they were operating. The selection of schools on the basis of identified good practice was an essential element of the research design. It was hoped that the findings might thereby be of use in helping other schools to identify and implement those procedures and practices that would be most effective in their own situation.

The data from all phases of the research have been treated thematically in order to preserve confidentiality for those interviewed. Material cited is as relayed by interviewees or as in the original documentation but the source is not ascribed. Tables refer to the questionnaire data: numbers rather than percentages are reported since the overall numbers are relatively small.

Practices were being modified and refined as the research was taking place, providing evidence not only of the rapidly changing environment but also of the significant effect of the Code. Situations had changed from the time of the questionnaire to the time of school-based interviews: for example, draft policies became approved policies; pilot audits became authority practice; and documentation produced for the Code of Practice had been reviewed and up-dated. The Code of Practice itself was intended to be a working document which would be continually up-dated, thereby affecting and being affected by the dynamic educational environment in which it operates.

CHAPTER 2

PRACTICES AND PROCEDURES

2.1 Introduction

This chapter examines more closely the way in which schools have responded to four of the specific requirements of the Code of Practice, namely:

- ◆ the register of special educational needs;
- ◆ the policy;
- ◆ individual education plans (IEPs);
- ◆ annual reviews.

It illustrates some of the successful strategies which teachers and governors have employed as well as the difficulties they described. The section which focuses on individual education plans highlights a significant difference between phases and therefore reports on secondary and primary phases separately.

2.2 Identifying and registering pupils' special educational needs

In all of the case study schools, the responsibility for compiling and maintaining the register of special educational needs had been assumed by the special needs coordinators themselves as one of their first responses to the Code of Practice, and by the time this research was undertaken, established and detailed registers were in place. Typically, these had become a key reference document identifying pupils' special educational needs by year group or class as well as by stages of the Code of Practice. It was clear that SENCOs and headteachers acknowledged the importance of the register as the foundation for a thorough and centralised record-keeping system. A further motivating factor for ensuring that procedures were established in some cases, was that the register had, or was beginning to, become one of the vehicles which drove the funding for pupils with special needs (but without statements) in schools. As described in Chapter 5, of the five case study LEAs, three had moved to a position of linking funding with stages of the Code and the remaining two were considering this option. Not

only did the register need to be in place quickly, it needed to be water-tight. This additional pressure generated more anxiety in schools, illustrated by the issues that headteachers and SENCOs raised during the interviews and described under section 2. 2. 3.

2.2.1 Gathering and organising the information

The operation of compiling the register in itself was generally felt to be time-consuming, particularly in secondary schools where the numbers involved were often (but not always) much larger than in the primary schools. One SENCO, who was working with a register of around five hundred pupils, described the task as a '*massive job*' requiring an enormous amount of time. In all cases, the exercise required widespread consultation and some SENCOs found they needed to develop or at least revise their system for retrieving both initial and ongoing information from the range of subject teachers concerned. End of key stage assessments and existing setting arrangements or reading tests provided a framework for setting up the register, but these performance indicators alone were not usually considered sufficient to identify the entire range of special needs and concerns (those related to behaviour or specific learning difficulties, for example), and SENCOs emphasised the need to establish effective methods of communicating with their colleagues. Except in the case of the smaller primary schools, SENCOs were unlikely to have many opportunities for informal contact or discussions in the staff room about any concerns that colleagues had about individual pupils and so a more formalised approach was adopted. Some of the strategies used to assist the flow of information are described below.

- In eight of the ten secondary case study schools, departmental or faculty representatives were designated to link and liaise with the special needs department and, to a greater or lesser extent, this strategy was a useful means of information gathering and dissemination, with identified staff often meeting on a regular basis with the SENCO and one another to exchange and cross-reference information. In most cases, these teachers received an additional salary point in recognition of this responsibility, although in a minority of cases it was a voluntary role.
- A common strategy was to ask teachers to alert the SENCO directly via some kind of standardised trigger mechanism. (This was not always a new initiative, particularly in those LEAs with centralised support services where a formal audit system was in place prior to the Code of Practice.) The trigger could be a detailed form on which teachers were required to describe the concern as well as the provision they were making or, more typically, a checklist containing descriptors or indicators.

These varied in quality and depth, ranging from the use of broad and somewhat ambiguous statements requiring a tick or cross response to the more analytical level at which teachers had to make judgements about the extent of their concerns using a six point scale.

- A number of SENCOs had employed a coding system in an attempt to simplify procedures and limit the paperwork, both for themselves and their colleagues, as well as to provide some measure of confidentiality. Whilst this approach was useful in both respects, not all pupils fell neatly into a category of need and there was a slight concern that it was encouraging teachers to 'pigeon-hole' pupils.
- One secondary school SENCO had produced a comprehensive folder for each department, which gave step-by-step guidance to teachers on the identification of special needs, together with a menu of coded, practical strategies. This is described in more detail in section 2.4.1.
- In one primary school, a programme of cover was provided each term to enable the SENCO to spend time with every teacher in order to discuss any concerns s/he had about pupils in the class.

2.2.2 Disseminating the information

Having compiled the register, what happens to it and how is the information shared? In the primary schools it was relatively common for class teachers to retain their own copy or at least have ready access to it, and any information pertaining to pupils in their class would be transferred into their own records. In the secondary schools that were visited, the process of dissemination was less straightforward. Although most subject teachers who were interviewed recalled such a list being circulated at the beginning of the academic year, these tended to be then passed to heads of department or heads of year and not all teachers found them to be particularly accessible. One head of department described the dilemma:

We have an overall list drawn up which outlines any particular needs that pupils in each year group have. All teachers get a copy of this to help with planning but it can be difficult to juggle confidentiality and accessibility. Ideally, you need it there in your register but then it could be seen by inquisitive eyes. So there is a danger of it getting filed and forgotten – the usual thing!

Another teacher explained that although the register was useful, he tended to rely more on the support teachers or assistants who worked alongside him in lessons for supplying relevant information about individual pupils' needs.

Whilst it was usual practice to inform parents about the identification of their child's special educational needs, some SENCOs emphasised that the term 'register' was deliberately avoided to limit anxiety that might be aroused by the connotation of the child protection register.

2.2.3 Issues

As mentioned previously, all case study schools had a register of special educational needs in place despite the obstacles relating to the mechanics of gathering, organising and disseminating the data. Moreover, the research shows that in over half the case study schools, SENCOs and headteachers in both primary and secondary phases had completed the exercise whilst still grappling with some fundamental questions about the identification of special educational needs and felt they needed further clarification from their LEA. In some cases, this level of uncertainty had delayed the development of provision, including the use of individual education plans, as one secondary school SENCO explained:

The school isn't very far along the line in terms of IEPs because for some time there was an uncomfortable feeling about who should or shouldn't be on the register. In fact, we've still not had any formal guidance.

The main areas of concern centred on four issues which are outlined below.

(i) *Are we including pupils on the register who should not be there?*

- Some primary school SENCOs reported a shift in attitude by colleagues in favour of earlier assessment and identification of early years pupils. A small number were still sensing resistance by some teachers who felt that the Code of Practice failed to take account of the different rates of maturation.
- Both within and between schools with Traveller pupils on roll, there were conflicting views as to whether missed periods of schooling constituted a 'special educational need' in the sense of the Code of Practice.
- Despite clear guidance in the Code of Practice, one SENCO reported that some of her colleagues still regarded English as a second language as a learning difficulty and identified pupils on that basis.
- One school had been given conflicting advice about pupils with emotional and behavioural difficulties, which left staff unsure as to whether such pupils could be included on the register at all. Paragraphs 3:64 to 3:70 of the Code of Practice describe

characteristics of emotional and behavioural difficulties within the context of special educational needs, but as Greenhalgh (1996) suggests, the relationship between curricular and pastoral systems does not always make this responsibility clear. Other schools acknowledged the need to include pupils with emotional and behavioural concerns but were unsure how to use the stages of the Code in relation to such difficulties; they admitted that some pupils '*slipped through the net*' or others did not tie in neatly with the stages.

- Most registers included emotional and behavioural concerns and specific learning difficulties (although the term 'dyslexia' was deliberately avoided if the authority had a tendency not to issue statements under those circumstances). In a minority of cases, more able pupils were also included in the special needs register.

(ii) We have so many pupils with special needs that we cannot make special provision for them all. Learning difficulties are the norm here!

Two SENCOs (one primary and one secondary) explained that their special needs registers did not accurately reflect the true picture in their schools. One admitted that not all stage 2 pupils were being identified because they '*couldn't physically manage that many IEPs*' and the other kept her register artificially low (at around one hundred) because she considered it '*unrealistic to manage huge numbers*'. Potentially, the register could have included half the pupils in the school. In both schools, the SENCOs prioritised and reluctantly accepted that not all pupils would have their special needs formally recognised. As one coordinator said: '*It's better not to register all of them – just the ones that we can cope with. The ones with the most needs*'.

This illustrates the point made by Lewis (1996) who found that the register of special educational needs was reportedly discouraging teachers from formally identifying some pupils and that this emphasis on procedures rather than principle could become counter-productive.

(iii) How do we know which stage a pupil should be on ?

Almost half the secondary school SENCOs interviewed, and one in five of their primary colleagues, voiced uncertainty about the criteria for placing pupils at the different stages of the Code and felt that although this was now being addressed, there should have been earlier guidance from the LEA. One of the difficulties for secondary schools was that whilst primary pupils with special needs were now more likely to have been formally identified before transfer, unless there was cross-school

moderation, levels of need would be largely determined in relation to each feeder school's intake. One SENCO described how they were still *'feeling their way'* in differentiating between stages and said that there had been many changes to the register as a result. Some primary school teachers were unhappy that their LEAs had used reading ages as the determining factor for identifying learning difficulties as it effectively cut out children under the age of seven.

(iv) Unless there is moderation, how can LEA funding be equitable?

As one SENCO explained, schools have become very *'stage mindful'* where funding is attached to stages of the Code of Practice and are as keen as their LEAs to see water-tight criteria in operation, and moderation across the authority. A number of headteachers in the study had been involved in LEA-level discussions and recognised that this issue was being treated as a priority by officers. In one LEA, a group of secondary headteachers had applied significant pressure to effect changes in the way the audit was organised, warning officers of non-cooperation if their views were not taken seriously. Teachers were aware that there had been consultation exercises and draft documents circulated to schools but felt frustrated that it was all taking so long and resented it when revised versions came out. Even in those areas where criteria had been established, there were some reservations that schools would interpret and apply them in different ways. As one SENCO explained, *'criteria can be too prescriptive but, on the other hand, if they're not prescriptive enough there can be difficulties over interpretation'*.

Generally, schools accepted that for now, the register was relative and pertinent to their own population and that a stage 2 pupil in one school might not be considered so in another; this was the case even in those LEAs where criteria had been established. If judgements about a pupil's level of need are being made relativistically and LEAs have no arrangements for moderation in place, this may *'give rise to serious distortion if the process is relied upon for decisions concerning between-school allocation of resources'* (Thomas and Davis, 1996).

Nonetheless, SENCOs believed that any school submitting a surprisingly large number of pupils onto the special needs audit would be followed up by the LEA. On the other hand, some had been told by their LEA adviser that they had underestimated the stage at which pupils should be. Interestingly, where funding was attached to levels of need, misjudgement of this nature was reported with an element of pride and reassurance that somehow, the school had successfully demonstrated that it was not trying to cheat the system.

2.3 Drawing up the school special educational needs policy

As part of their statutory duties, governing bodies must publish information about, and report on, the school's policy on special educational needs. Half the schools in the study (ten) had a special needs policy in place prior to the Code of Practice. In all these cases, the policy was considered to be broadly in line with the new requirements and just needed updating or fine-tuning. In the remaining schools, the policy was drawn up and published in response to the Code of Practice.

2.3.1 Contents of the policy documents

Schedule 1 to the Education (Special Educational Needs) (Information) Regulations 1994, prescribes the information that schools must include in their policies. This is summarised below.

- The school's objectives for SEN;
- the name of the SENCO and details of specialist staff roles and responsibilities;
- details of specialist provision and facilities;
- arrangements for admissions;
- procedures for identifying, assessing and providing for pupils with special needs;
- arrangements for allocating resources;
- criteria for evaluating and monitoring the policy;
- details about staff training on special needs issues;
- arrangements with outside specialists;
- partnership with parents and other bodies;
- details of the complaints procedure.

Of the 20 case study schools, 13 submitted copies of their policy document for further analysis and, from these examples, it was apparent that the checklist in section 2:10 of the Code of Practice had provided a blueprint for staff and governors in the formulation of their policies and had determined the section headings. Apart from one secondary school policy, which was little more than a checklist, all met the majority of the requirements outlined above, although only two of the policies included clear information about every aspect. In summary:

- All the policies seen included a set of objectives and a detailed description of the procedures involved in identifying, assessing and monitoring pupils with special needs. Several described parental involvement at each stage and mentioned partnership with parents as one of their primary aims.
- All gave a description of the staffing structure and outlined roles, although two secondary and two primary school policies made no mention of the SENCO's name.
- Only one in three policies provided an account of how special needs provision was resourced or gave a breakdown in terms of staffing hours allocated and sources of funding.
- Most policies had appendices attached which included examples of the various proformas in use and some schools used the appendix to supply details such as the names of staff and other professionals, the current year's budget allocation for special needs or numbers at each stage of the register at the time of writing.
- Half the policies seen did not include clear criteria for evaluating the success of the policy. These were either omitted altogether or were given as vague references which were of little use. The best examples used a model suggested by the LEA's learning development team and followed the recommendations in paragraph 48 of Circular number 6/94 (GB. DFE, 1994). In these policy documents, the data were presented in a table with columns to show how the evidence would be collected and reported to governors. An example is shown below.

Aspect of the policy	Performance indicators	Success criteria	Method of reporting to governors
Curriculum			
Equal Opportunities			
Identification, assessment and review			
Parents and partnership			
INSET			
Resources			

2.3.2 Responsibility for writing the policy

It is the headteacher's or governing body's overall responsibility to ensure that the special needs policy is in place, but the Code of Practice recommends whole-school involvement in the development of the policy and, furthermore, schools are encouraged to consult widely and share ideas with one another. The 20 case study schools were asked to describe how their special needs policies had been drawn up. Ten reported that there had been a policy document in place for some time prior to the draft Code of Practice, and therefore described the process of revision in the light of that. The approaches used were as follows:

- three schools had bought in LEA advisers to assist the SENCO with the fine-tuning;
- three SENCOs made the necessary amendments themselves;
- three SENCOs worked collaboratively on the exercise with their headteacher and special needs governor;
- in one school, the governors revised the document.

The remaining ten schools developed their special needs policies in direct response to the Code of Practice and described a variety of approaches ranging from a secondary school where the SENCO wrote the document with minimal intervention, through to a whole-school working party, chaired by a member of the art department, which was given writing time at a hotel. Amongst primary schools, it was fairly common for the policy to have been written by the SENCO and headteacher together and for it then to be shown to the special needs governor to check for accessibility of language. This consideration was not always applied, however, with the result that some policy documents seemed to be written for the benefit of staff rather than the wider audience. Schools in one authority were given an allocation of funding to assist them with the task of policy development and while this was welcomed, the practical advice they needed was not forthcoming. A deputy head from this authority suspected that all LEA schools wrote their policies in isolation; *'each re-inventing the wheel!'* Schools in this authority felt that, at times, they were leading the LEA in this respect, unlike in other areas, where LEAs had made guidance packages widely available.

One of the most accessible and comprehensive policies was the outcome of a collaborative exercise between neighbouring infant and junior schools, described below by a governor with responsibility for special needs.

At the time the policy was written, the deputy head was the SENCO and she led us through the policy in collaboration with the junior school. We

had an adviser from the LEA, the two SENCOs, both heads and the two governors all involved. We met with the adviser over a period of time and he guided us through the Code of Practice. We felt it was important to have a joint policy with the junior school so the bones are the same but once we got past the philosophy stage and it came down to describing our practice, we worked separately. So we ended up with quite a lengthy policy.

2.3.3 Involvement of governors

The level of involvement by governing bodies in drawing up the policy was peripheral and low-key in the majority of cases with the exception of those schools in which the governor for special needs was also a member of the school staff or had other professional links. One school which had a reputation for pioneering work in the field of special needs admitted that governor involvement was its weakest area. In many cases there seemed to be a common understanding that policies would be presented to governors for ratification but that the details were best left to the teachers themselves. One primary headteacher explained:

The governors are always presented with the policies and their views are sought but, in practice, very rarely do they seek to modify them because they don't have the skills to do that.

This view was reinforced by a secondary school SENCO who explained that it made more sense for her to do the writing because '*we know the language*'.

The governing body of one primary school had taken the step of producing a statement passing responsibility for policy detail to the staff. This general pattern reflects the wider picture revealed by OFSTED (OFSTED, 1996), that governing bodies are largely unaware of their statutory duties in relation to special educational needs.

2.3.4 Reviewing the policy

Schools were mindful of the need to review their policies on a regular basis and in some cases this was an area where governors were becoming more actively involved. One primary school reported that a group of governors met twice a year to review the policy and satisfy themselves that the Code was being implemented. The reviewing procedure was also described as a useful source of staff training and teachers in one primary school confirmed that each time the policy was revised or reviewed, it reinforced what they should be aiming for in terms of writing individual education plans and so on.

When it came to writing the report on special needs in the annual governors' report to parents, governors in six of the schools affirmed that they performed this duty, seven delegated it to the SENCO or headteacher, one admitted that this had not been addressed at all and the remaining six did not specify who wrote the section. In one primary school, the governor had attended LEA training on writing the special needs report before taking on this responsibility. According to the Code, the report must contain information about the success of the special needs policy. Unless there were clear and measurable criteria set out in the policy, governors tended to leave such judgement up to the staff. This is discussed in more depth in Chapter 6.

2.4 The development and implementation of individual education plans (IEPs)

Discussions with SENCOs and other teachers about the use of individual education plans in their schools revealed some stark differences between primary and secondary phases. In all the primary schools visited, IEPs had taken root and class teachers were fully conversant with the practice and procedures involved. For many, writing IEPs was part of their day-to-day responsibility and only one primary school indicated that there was still a little way yet to go. In the secondary schools, however, the complexities brought about through the sheer numbers of pupils and teachers involved in the process, presented more challenges for those SENCOs, and in eight of the ten case study schools, the development and implementation of IEPs was still at an early stage.

2.4.1 Secondary schools

The whole issue of individual education plans was less widely understood by those interviewed in secondary schools. In some cases, subject teachers, including heads of department, claimed they had never actually come across an example in use and others had only a vague awareness that the special needs team produced something along those lines. Similarly, some senior managers did not always appreciate the stage their school had reached regarding the adoption of IEPs and mistakenly assumed that some features were operational. Generally, SENCOs had identified the difficulties they faced and were working towards solutions, but the underlying perception that IEPs were not designed with secondary schools in mind was illustrated in the way they described the challenges they faced. The major issues were concerned with:

- The number of pupils involved and the amount of paperwork it would generate.
- The question of who should take responsibility for writing them. In many cases it was the SENCO but there was a strong feeling that subject

teachers should become more involved. Since IEPs tend to be literacy-based, some argued that it would place the burden on the English department.

- What an IEP should look like. Teachers needed training in how to write them and/or use them in their planning.
- The cycle of reviewing IEPs, which was described as '*unmanageable*'. Not only were there so many of them but when a teacher only came across a pupil for one lesson a week, there was a need for much longer intervals between reviews.
- Where there were large numbers of pupils at stages 2 and above, SENCOs (particularly those with significant teaching commitments) found it difficult to establish and maintain personal contact with parents unless that responsibility was shared.

However, schools were exploring ways of addressing these issues and the following examples illustrate how three of the schools were beginning to resolve some of these fundamental concerns.

Example 1

With the aim of simplifying procedures and encouraging wider involvement from colleagues, the SENCO in this school used an idea she had heard at a SENCO support group meeting, to set up an administrative package referred to thereafter as the '*Red File*'. Initially, the system took an enormous amount of time to develop but the SENCO, who was highly organised, considered the long-term benefits. Each department was given a copy of the completed file, which included step-by-step guidance on how to identify special educational needs as well as practical strategies and tips for meeting them.

The strategies in the file were divided into Cognitive, Affective and Physical areas. Within each of these sections, the characteristics were numbered and the strategies were given a letter. So if, for example, a teacher was concerned about a pupil's ability to follow verbal instructions, s/he would find the characteristic in the cognitive section and choose an appropriate strategy. This would become the IEP but instead of writing it out in full, all the teacher would need to write would be 'C' (for cognitive), '4' (for difficulty in following verbal instructions), and 'G' (which described the strategy used), plus a start and review date. Because the coding system was common across the school, the SENCO claimed she could interpret these data immediately and transfer them into a cross-curricular format. The added advantage of the system was that it helped teachers to learn from one another which strategies worked best with different pupils. The system was relatively new at the time of the research but was starting to be taken on board by most departments.

Example 2

The SENCO in this school saw her role as an agent of change and was exploring ways of influencing her colleagues and moving them forward in terms of their provision for pupils with special educational needs. Not content with preserving the 'fire-fighting' image of the special needs department, she had introduced the idea of contractual support, whereby she would draw up pupils' individual education plans and then subject teachers would have to demonstrate how they intended to use additional support to meet the targets that had been identified in them. A written contract would therefore be agreed and signed by all relevant parties before support was provided.

Example 3

The approach that this school adopted was based on the premise that IEPs were only as useful as the pupils, to whom they applied, perceived them to be. This school therefore recognised a need for collaboration in both the writing and reviewing of individual education plans and placed great value on the contribution of the pupils throughout the process. The SENCO felt it was important to involve the pupils, parents and form tutors in the target-setting and was attempting to write IEPs at meetings with them present. This was particularly valuable in cases of behavioural difficulties. In addition, a new system for monitoring IEPs was being trialled at the time of the research. This involved a booklet which pupils took with them to lessons and in which subject teachers were required to comment on their monthly targets. This school had over two hundred pupils on its special needs register and was planning to increase both administrative and teaching levels in the learning support department.

2.4.2 Primary schools

In contrast, the responsibility for individual education plans in the primary case study schools was considered by headteachers to belong to the class teachers and, in all cases, this responsibility was fully accepted. Furthermore, teachers spoke positively about this development which was helping to put special needs provision into perspective. The following two comments were typical.

For those teachers who lack security, it is a life-line to focus on targets, especially with the back-up of the SENCO. There are always teachers who do not take kindly to extra records but most have taken the IEPs on board.

What's so good about IEPs is that they help you to understand that child's needs. You have to think carefully about it. If someone else did that, you would miss part of the process, but it is useful having the SENCO look them over.

One headteacher explained that when the Code of Practice came out, she consciously used this as an opportunity to re-direct the responsibility for IEPs on a formal basis. Whilst some teachers were still lacking in the confidence or skills to write all their IEPs without support from the SENCO, in seven of the ten case study primary schools, it was confirmed that it was the class teachers who took the lead in writing them. In the three remaining schools it was described as a joint process although the SENCO did the actual writing. In many cases, classroom assistants and other support personnel were actively involved in the exercise too. As one headteacher reasoned: *'Three heads are better than one and it tends to make the IEP more useful for the wider audience. If you write it in isolation, you may know what you mean but other people might not'*.

In another school, the SENCO was working hard to improve the quality of target-setting, emphasising to colleagues the need to make targets measurable. In the majority of cases, the writing of IEPs took place at lunchtimes or after school although in three schools, class teachers were given some non-contact time specifically for the purpose of special needs administration.

SENCOs themselves had played a major role in developing the skills and confidence of their colleagues and their support was valued and appreciated. In one school, teachers came together on a regular basis to write and review their individual education plans in what became an informal training session, where the SENCO and other experienced teachers made themselves available to support colleagues. Others had attended INSET sessions themselves before cascading back to colleagues. In one authority, training aimed specifically at class teachers was being planned. As one SENCO concluded, *'there is an art to writing IEPs!'*

The SENCOs in the primary schools also tended to take responsibility for monitoring the IEPs on a regular basis, either weekly or termly, depending on the numbers involved, (entries on the registers ranged from thirty to almost two hundred pupils). In two schools, the SENCOs blocked out a few days each term for the purpose of scrutinising the IEPs with the headteacher or class teacher concerned.

As a planning tool, IEPs were generally considered to be very useful. One or two teachers complained that the procedure was simply duplicating what was already in place through class records, but most pointed out that because IEPs were so specific, it was a case of magnification rather than replication. The focus on one or two particular areas of need helped teachers to set achievable targets. As Ramjhun (1995) points out, the temptation to try to identify and address all of a pupil's difficulties at once, should be avoided as it becomes a futile exercise. Most schools formally reviewed their targets either termly or half termly and, in almost half, parents and pupils were invited to contribute and confirm their agreement. However, one teacher explained why the cycle of review needed to be flexible to get the most from it.

IEPs do inform planning to an extent, but the progress children make does not tie in neatly with the timetable for reviewing IEPs so, in the light of sudden progress, I would sit down then and write my next IEP. But there's not always the time to do that so I go through and review all the IEPs. In that sense, it no longer becomes a planning tool in practice. Also, IEPs can be too rigid for emotional and behavioural difficulties. Strategies have to be incredibly flexible and responsive to cope with any incident as it occurs so you must review that IEP every time something happens, not when the six weeks or whatever is up.

2.5 Annual reviews

2.5.1 Preparation

In the vast majority of secondary schools (nine out of ten), it was the SENCO who assumed responsibility for the organisation of annual reviews: setting the dates, requesting evidence, inviting participants, chairing the meeting and writing the report. The one exception was the secondary school in which three subject teachers held additional responsibility points for performing specific SEN duties, one of which was the organisation of reviews.

In the primary schools, however, headteachers were just as likely to take responsibility for annual reviews as SENCOs, with equal numbers claiming to take the lead role in eight of the schools; in the remaining two, it was described as a collaborative process, jointly involving either the headteacher and SENCO or the headteacher and class teacher. In schools with large numbers of pupils with statements (and eight schools had more than 20 pupils at stage 5), SENCOs described how they blocked out several meetings over a couple of days or set themselves a time-line, to ensure that meetings

were distributed in a manageable fashion, avoiding particularly busy periods in the school year. In one authority, schools said that their LEA always sent out prior notification of reviews, whereas in the others, staff either claimed that it was the school which initiated the process or gave no explanation. Only a small minority of schools (one primary and one secondary) made regular use of commercial computer software to assist in the organisation of annual reviews although others said that this was something towards which they were working.

An important part of the responsibility for convening review meetings involves the collection of evidence from colleagues and other relevant parties within a limited time schedule, yet only one SENCO complained that the organisation of annual reviews was hampered by deadlines for responses not being met. This individual spoke of the difficulties in organising reviews and admitted that it had not been possible to achieve the timescales set. Another school emphasised the importance of the exercise by sending out a form which was counter-signed by the deputy head, outlining the regulations and giving the date by which the form had to be returned.

2.5.2 Attendance

The meetings themselves were described as informal – *'it's important to keep a positive flow going'* – and attendance by professionals other than members of the school staff was occasional rather than the norm. This was particularly so in the primary phase.

The majority of schools felt that attendance by parents at annual reviews was very good, with only two schools (both secondary) claiming to have difficulties in involving up to half the parents of pupils with special needs. Most schools worked hard to ensure that parents played an active role, telephoning or sending a questionnaire to those parents who were unable to attend in person or, in the case of one primary school, re-scheduling meetings out of school hours for those unable to take time off from work. One secondary school was producing an information leaflet for parents to prepare them for their future involvement at review meetings; another had appointed a 'community coordinator' in an attempt to improve home-school relationships. Even in those schools where parent partnership was already considered a strength, teachers recognised that the Code of Practice had *'put the clout behind it'* and had given parents the expectation of involvement. Some policy documents used the frequency of contact with parents as a success criterion. Review meetings were perceived as an opportunity to cement good relationships. When asked about views on the Named Person

role, levels of awareness were low amongst school staff. Those who had read the Code were familiar with the term but none of the interviewees was able to provide much information about the role in practice as they had little or no experience of it. As one SENCO explained, *'the Named Person idea is quite a mystery. We know it exists but that's all. It's all very vague!'*

At the primary stage, pupils themselves were unlikely to be involved in the meeting in any formal way but at Key Stages 3 and 4, it was common practice to invite pupils, and staff felt that this input was valuable. In an effort to make the experience more comfortable for pupils, one school established the principle of encouraging pupils to bring a friend along for moral support if they so wished. Another conducted the meeting in two sections, inviting the pupil to the second, less formal part, once any outside specialists and officers had departed. The practice of staff attending reviews at feeder or receiving schools prior to a pupil's transfer was usual, according to some SENCOs, while others recognised the need but had yet to establish such arrangements.

Of the five LEAs, attendance by officers at annual reviews was described as *'rare'* in two authorities, *'occasional'* in two others and *'usual'* in just one. In one of the LEAs where attendance was occasional, schools were unhappy about the use of educational psychologists as the LEA representative, feeling that this caused tension and that their limited allocation of educational psychologist's time could be put to better use.

2.5.3 Transition plans

Schools and LEAs in the study were at different stages of development in the implementation of Transition Plans. In one area, there was a low level of awareness amongst staff in both secondary schools visited and no clear policy had yet been established. In other authorities, officers had attempted to take the responsibility for organising Transition Plan meetings (as required by the Code of Practice) but had been swamped by the workload and found themselves unable to meet the demands this generated. As a result, schools had been asked to prioritise those meetings which particularly needed LEA involvement. Elsewhere, schools had simply got on with the job, even though staff knew that it should have been the LEA's initiative. Schools in two LEAs reported a high level of support from their careers services and described effective arrangements for joint organisation.

2.6 The effectiveness of practices and procedures

In common with earlier findings (for example Loxley and Bines, 1995), the NFER study found that teachers and governors expected the Code to improve practice and provision for pupils with special educational needs. One of the aims of the research project was to examine the effects of the procedures described in the Code of Practice on children at various points along the sequence of stages. To this end, teachers, headteachers and governors were asked to consider whether their special needs provision had improved as a result of the changes.

Overall, the comments made were almost twice as likely to be positive as negative. In approximately a third of all interviews, some reference was made to the increased levels of awareness in schools as far as special needs was concerned, the growing confidence amongst staff or the fact that class and subject teachers were taking much more ownership of pupils' special educational needs. In this way, the profile of special educational needs was being elevated and drawn firmly into the heart of whole-school policy. Despite the anxieties already highlighted in relation to the register of special needs, there was agreement amongst staff and governors that this initiative had improved and speeded up the identification process. Although there were difficulties associated with LEA audits, the view that one outcome had been an increase in resources (usually manifested in terms of additional support assistants) was shared by a number of primary and secondary teachers, who mentioned this as a significant benefit.

Where IEPs were operational (predominantly in the primary schools) class teachers were positive about their effectiveness, stating that they provided a good focus for more meaningful target-setting and that they helped with planning. A number of interviewees said that the quality of parental liaison had improved with the introduction of IEPs and review meetings and the fact that the rights of pupils and their parents were more formally recognised was considered a positive move by some. Three respondents however, felt that the pendulum had swung too far in the parents' favour and backed this up with examples of conflict they had experienced. One interviewee claimed:

The LEA are running very scared of parents ... there is one child in the school who has a statement for specific learning difficulties because the parents pushed for it, although [in my opinion] the child does not need a statement. This is not protecting children because the resources are going to those whose needs are less .

Others gave examples of parents who had insisted on a mainstream placement for their child, against professional advice. It was felt that the Code had encouraged this resistance and had empowered parents to overrule the professionals.

Having been identified by their LEAs as demonstrating characteristics of good practice, it was not surprising that most schools claimed to have had sound practice in place prior to the Code. For many, the Code of Practice had simply confirmed what was already happening; others needed only to fine-tune some aspects of their practice. In a minority of cases, however, the requirements of the Code were interpreted in a way which was perceived to be almost counterproductive. As one secondary SENCO saw it: *'Some of the procedures that have been put upon us have not moved us forward at all ... some get in the way of our existing good practice'*.

A number of teachers (particularly primary class teachers) believed that it was now more difficult to get a statement and felt frustrated that *'another row of hurdles'* had been put out since the Code was introduced. Approximately one in ten interviewees felt that procedures had become too bureaucratic.

The SENCOs' view that IEPs were problematic in secondary schools was consolidated by a general lack of awareness amongst subject teachers, some of whom questioned the value of IEPs in schools where pupils were set according to ability, maintaining that this in itself effectively determined teachers' planning. Secondary school staff were still grappling with the mechanics of implementing IEPs, deciding who should take responsibility for them and working out ways of involving colleagues in a meaningful way without making unreasonable demands. In most cases, SENCOs opted for the drip-feed tactic which aimed to influence colleagues gradually. In this way, progress was being made, albeit slowly, but there was still a long way to go before the IEP became an effective working document at the secondary phase.

Perhaps not surprisingly, the most frequent grievance was associated with time pressures brought about by the new procedures. This came from staff at all levels as well as from governors, who demonstrated a high level of empathy in this respect. Some made the point that the benefits of the Code of Practice were effectively being diluted because the teachers with the highest level of skill (in meeting the needs of pupils with special educational needs) were spending too much time away from those pupils on routine administrative chores. Elsewhere, organisational duties were gradually

being delegated more widely amongst the staff, allowing those teachers to remain in the classroom. This is examined in more depth in the next chapter which focuses on the role of the SENCO. One thing is clear: the requirements of the Code of Practice have made all staff and governors sit up and take note. Subject and class teachers held their SENCOs in high esteem, as did senior managers, all of whom appreciated the enormity of the workload precipitated by the Code and in most cases, this recognition had led to significant changes in staffing structures and job specifications.

2.7 Summary points

- ◆ **Practices and procedures as outlined in the Code of Practice provide a clear framework and schools reacted quickly to the new requirements. Whilst there were associated difficulties, (most notably relating to time pressures), more comments were positive than negative and schools were beginning to reinterpret the requirements in the light of experience.**
- ◆ **The need for moderation within and across schools was emphasised, as was the need for clear criteria in allocating pupils to stages of the Code.**
- ◆ **The initial compilation of the special needs register was a major task requiring widespread consultation. Its importance as a vehicle for driving LEA funding created anxiety on the part of SENCOs to get it right. In more than half the case study schools, headteachers and SENCOs would have welcomed earlier and clearer guidance on this.**
- ◆ **Although there was some agreement that the requirement to register pupils had tightened practice, schools with a high proportion of pupils with special needs did not always formally identify them all because of the subsequent demands on time and resources.**
- ◆ **In secondary schools, communication remained a problem although most were developing ways of involving subject teachers in terms of special needs. A common approach was to have departmental representatives to meet with the SENCO and one another on a regular basis.**

- ◆ **The Code of Practice provided very clear guidance on policy development and schools adhered closely to the checklist, although details of resource allocation and the identification of success criteria were not always included.**
- ◆ **Governors were largely on the periphery of policy development and often delegated to school staff, the job of reporting to parents .**
- ◆ **In the primary schools, IEPs were well established and class teachers accepted full responsibility for them. Generally, they were considered to be an effective tool in helping teachers to understand and meet a pupil's special needs. In secondary schools, however, IEP development was at an early stage and SENCOs were trying hard to overcome the challenges of a system which they saw as being designed with primary schools in mind.**
- ◆ **Secondary SENCOs took responsibility for organising annual reviews but in primary schools it was just as likely to be taken on by the headteacher. Attendance by professionals other than school staff was not as common as the Code of Practice suggested but in most cases attendance by parents was good and this closer partnership was welcomed.**
- ◆ **Secondary schools were at different stages of development in terms of Transition Plans and not all LEAs initiated the procedures required by the Code.**

CHAPTER 3

THE ROLE OF THE SENCO

3.1 Introduction

The role of the special educational needs coordinator (or SENCO) has become the subject of much debate since the introduction of the Code of Practice for, although the responsibility for its implementation was directed at headteachers, class/subject teachers and governors, it was the member of staff identified as the SENCO who was to become the key player and overseer of provision. In some schools, this requirement simply formalised what was already in place; in others, it provoked a review of the staffing policy. The first step was to identify the SENCO and this was relatively straightforward in comparison to the next stage: defining and managing the role has turned out to be a far more complex issue. Lewis *et al.*, (1996) identified three potential barriers to the successful management of the role: lack of status, inadequate training and insufficient time to fulfil the duties. This chapter describes how some SENCOs and their colleagues perceived the role after a period of consolidation and illustrates how schools were finding their own workable solutions in terms of defining and managing the role.

3.2 Defining the role

The responsibilities of the SENCO are clearly identified in the Code of Practice and include:

- the day-to-day operation of the school's special needs policy;
- liaising with and advising fellow teachers;
- coordinating provision for children with special educational needs;
- maintaining the school's special needs register and overseeing the records of all pupils with special needs;
- contributing to the in-service training of staff;
- liaising with external agencies including the educational psychology service and other support agencies, medical and social services and voluntary bodies.

Elsewhere in the framework, further references to the role are more explicitly defined and include the requirement:

- to help teachers to assess pupil needs (2.74);
- to take a lead in planning, monitoring and reviewing special needs provision from stage 2 (2.85);
- to ensure that IEPs are drawn up (2.93);
- to set review dates (2.95);
- to (normally) conduct the reviews (2.96);
- to advise the headteacher on the need to request statutory assessment (2.115).

In addition, the regulations placed upon headteachers in terms of annual reviews and reports (Regulation 15(5) and (10)) may be delegated to the SENCO as suggested in the Code of Practice.

Whilst no prescriptive model for carrying out these duties is provided in the Code of Practice, its advice to governing bodies and headteachers to consider carefully the timetabling implications of the role, within the context of available resources, gave some indication of the impact it was likely to have. The requirement for all schools to identify a named person to take on the responsibility of coordinating special needs provision in the light of the Code had, for some schools in this study, led to changes in staffing structures particularly in the primary phase. As one headteacher explained, *'it [the Code of Practice] was almost like a handle. I think a lot of schools realised at the time that they would have to make an appointment [specialist post] because of the importance of the Code.'*

In some cases, new appointments were made at the time the Code was introduced. In others, members of staff took on the duties of the SENCO in addition to their existing responsibilities, only to discover later that the workload was unmanageable. In secondary schools where there was already a postholder for the management of special needs, there was invariably a need to amend job descriptions and review salary gradings. In other words, even if the role did not need to be drawn up from scratch, it had to be redefined in the light of the Code. An insight into how this affected the 20 case study schools is given below. Schools are reported by phase in view of the differences that emerged between primaries and secondaries.

3.2.1 Secondary schools

Nine out of ten SENCOs in the secondary case study schools had held some responsibility for special educational needs prior to the publication of the Code of Practice and they were generally very experienced. Two had previously held LEA advisory posts for special needs and two others had worked as peripatetic teachers for a centralised support service before their

current appointment. The SENCO with the least recent experience of teaching pupils with special needs was a deputy head with considerable management experience. The title of Special Educational Needs Coordinator was adopted in most cases at around the time the draft Code was published, replacing former job titles such as Head of Remedial, Head of Special Needs or Head of Learning Support. In some secondary schools, however, titles were left unchanged.

Two of the post holders who participated in the study had received additional salary points in recognition of their increased level of responsibility and had joined the senior management team but half the SENCOs claimed that their status had always been high and the Code itself had made no significant difference in that respect. This view was supported by other colleagues and senior managers in these schools. Status did not manifest itself as an issue for these SENCOs. It was the shift away from teaching to administration which was more often cited as the major impact of the Code. The repercussions of this are explored later in the chapter.

The redefinition of the role was not always straightforward and, indeed, created difficulties for some senior management teams in a minority of schools, where existing postholders were clearly more suited to teaching than administration. Headteachers and governors in those schools responded by establishing an alternative staffing and support structure which allowed for a wider delegation of responsibilities. Even so, the senior managers concerned envisaged a move towards the more typical SENCO model at some point in the future. The single coordinator model was not always considered to be the most effective way of consolidating a whole school approach to special educational needs, as the example below illustrates.

Example

In one secondary school, seven SENCOs had been appointed prior to the Code of Practice in a move to underline the school's commitment to the whole-school approach. These SENCOs, one for each faculty, were given an additional salary point in recognition of the responsibility involved. When the Code was published, this innovative model was found not to correspond to the new requirements as no one person had overall responsibility for its implementation, or the non-contact time needed for purposes of administration. As a result, senior SENCO posts had to be introduced, altering the balance and structure of the school's preferred model. The deputy head pointed out the irony of the situation: *'Those schools that stood still and relied on the specialist remedial teacher for all provision are probably now in a stronger position to implement the Code than we are – as a school which was intent on making special needs a whole school issue prior to the arrival of the Code of Practice.'*

3.2.2 Primary schools

Unlike in secondary schools, where more often than not there was a special needs teacher heading up a discrete department prior to the Code, not all primary schools had an obvious candidate for the new role. Five of the SENCOs in the primary case study schools (50 per cent) were also deputy heads and, of these, four had been given responsibility for special needs as part of their deputy head's job description. Not all felt secure about taking on this aspect, recognising the need for further support and training. The fifth person assumed her responsibilities in the opposite order, having been the SENCO at the school before being promoted internally to the position of deputy head. Only one of these deputy heads taught a class on a full-time basis. Two taught classes for three days a week and two had recently given up their class responsibility completely because they found it impossible to juggle the dual responsibilities. One had subsequently decided to give up the SENCO aspect of her role the following year. She had enjoyed the job but could not continue to do it without 'burning out' and a new part-time SENCO was to be appointed instead. A number of headteachers commented that the nature of the new role was such that it could not be adequately fulfilled by a member of staff who was not in a senior position, thereby providing further evidence to suggest that SENCOs in this study were not experiencing status related conflict in carrying out their role.

Of the five remaining SENCOs, two were full-time class teachers and three spent all or the majority of their time on special needs. In those schools where a post holder was already in place, there was a commonly held view that the Code of Practice had formalised things and given the role more structure and purpose. As one SENCO explained,

It's quite difficult to remember what things were like before the Code ... we seem to have been doing it like this for a long time but I do think it was all much more hit and miss and largely depended on the level of concern individual teachers expressed. I was operating in an emergency service model.

3.3 Managing the role

Before looking at the kinds of strategies SENCOs have adopted, it is important to re-emphasise the diverse range of professional contexts within which they are working. As already mentioned, one secondary and half of the primary SENCOs were also deputy heads, some SENCOs taught classes full-time and others spent all of their time on special needs issues. Each school was reacting therefore, in relation to its own unique set of circumstances and each SENCO had a different combination of professional duties to

manage. It is hardly surprising that, as the role grew ever larger, it became more difficult to control and some of the duties were dropped along the way. Headteachers and governors were acutely aware of the potential overload facing their SENCOs and it was not uncommon for them to have made policy changes in order to keep this in check. In two of the primary schools, for example, a decision had been made to create a part-time post exclusively for the coordination of special educational needs because the headteachers were united in the view that it was preferable to employ a part-time member of staff to carry out the SENCO role than a full-time teacher trying to combine it with class teaching commitments.

Tables 3.1 and 3.2 illustrate the range of duties and roles undertaken by those named as SENCOs in the 20 secondary and primary schools included in this study.

Table 3.1. The range of additional responsibilities undertaken by ten secondary SENCOs

Full-time subject teaching. Responsibility for organising staff cover.	Management of support assistants.	Deputy head.	Management of support teachers and assistants.	SMT member. Head of Year. Primary liaison. Subject teaching 0.25.
Management of support teachers and assistants.	Coordinator for assessment. Mentor for NQTs. Subject teaching 0.1.	Head of learning resources. Management of support teachers and assistants. Subject teaching 0.4.	Management of support teachers and assistants. Subject teaching 0.1.	Management of support teachers and assistants. Subject teaching 0.2.

Table 3.2. The range of additional responsibilities undertaken by ten primary SENCOs

Deputy head. Full-time class teacher. Curriculum coordinator.	Full-time class teacher. Coordinator for reading.	Deputy head. Class teaching 0.6.	Coordinator for English. Class teaching 0.4.	Coordinator for assessment. Secondary liaison. SMT member.
Deputy head. Coordinator for language. Curriculum coordinator. Class teaching 0.6.	Head of unit provision. Full-time unit teacher. SMT member.	No additional responsibility	Deputy head. Coordinator for language. Coordinator for learning resources.	Deputy head. Curriculum coordinator. Management of learning support assistants.

Given the wide variation in job descriptions, it is difficult to imagine how the same role could be interpreted and fulfilled to the same extent in each case. One of the most frequently cited observations on the Code of Practice is the escalation of paperwork it has generated. In view of this, how did those SENCOs with full teaching timetables even begin to respond? The first stage of analysis was to compare the numbers of pupils on special needs registers in relation to the amount of non-contact time that SENCOs were allocated for the purpose of administration and liaison. There was, however, no obvious relationship. Amongst those schools in both phases with the highest proportion of pupils with special needs, the non-contact allocation for SENCOs ranged from one lesson a week to thirty per cent of the timetable. SENCOs in primary and secondary schools where the proportion of pupils with special needs was lower, ranged from having almost fifty per cent of their timetable devoted to administration at one extreme, to half an hour a week at the other end of the scale. This significant discrepancy suggested that it was not the proportion of pupils with special needs which determined the administrative workload of the SENCO; the answer lay in the way in which the role was defined. It was also interesting to note that of the four SENCOs in the study who had full-time class or subject teaching commitments, three worked in schools which had the highest proportions of pupils with statements (3.7 per cent, 4.4 per cent and 6.7 per cent respectively). Further analysis revealed that, in one of these schools (secondary), there was a team of subject SENCOs and, in the other two (primaries), whilst the SENCOs monitored the quality of IEPs and supported colleagues in an advisory capacity, the school staff generally had become accustomed and adept at writing IEPs and the headteachers took responsibility for annual reviews.

Overall, three interpretations of the SENCO role emerged. These are summarised below and illustrated in the following sections.

- In some schools, the SENCO did less class teaching and took full responsibility for administering all aspects of the Code's requirements. A reasonable amount of non-contact time was usually allocated for this purpose.
- In others, where the SENCO was primarily a class teacher or taught his/her main subject for much of the week, a team approach had been developed and the workload was more evenly shared amongst a number of individuals. As one interviewee observed, '*SENCOs are having their empires removed!*'
- A third strategy was for schools to reduce the amount of administration by streamlining procedures, interpreting the Code more flexibly or limiting the demands of the paperwork in some way.

3.3.1 The move from teacher to administrator

The Code has taken me away from the classroom when I would like to be supporting pupils. So much time is spent with paperwork and liaison.

My role has shifted towards more administration and liaison. Day to day contact with pupils is sadly decreasing.

These comments, made by secondary school SENCOs during the course of interviews, reveal a level of regret that was shared, in some cases, by their senior managers who felt it a waste for teachers, who were highly skilled in meeting the needs of the most vulnerable section of the school population, to be '*pushing paper*'. Although this trend was less prevalent in the primary phase (largely because primary class teachers took on some of the workload), four SENCOs did claim that the administrative demands were gradually taking them away from pupils and the proportion of their timetable allocated for teaching was decreasing over time. Two primary school SENCOs from one authority had recently relinquished their responsibility for a class in order to manage the paperwork for special needs and to respond more flexibly to the requirements. The headteachers of both schools were emphatic in the view that the role was no longer manageable by a class teacher even though they would have preferred their SENCOs to spend more time working with pupils. In a different authority, a part-time SENCO post had been created when, formerly, the workload had been carried by a teaching deputy.

In other cases too, headteachers and governors had made a conscious decision to create space for SENCOs to enable them to cope more easily with their increased administrative pressures. The measures taken typically incurred additional cost to the overall school budget, whether resources were shifted to take account of increased non-contact time or a new non-class teaching post was created. In the secondary schools which came into this category, the SENCOs were doing less subject teaching than before, with none teaching more than five periods a week. Whilst they had retained some group sessions or individual teaching, they had no other significant professional responsibility outside special needs. In a small number of schools across both phases, the administrative load had been heavier for SENCOs because it was an area which needed a total overhaul or because their predecessors had not set up a transferable system of record-keeping. In these cases, the inordinate amount of time that had needed to be devoted to this reorganisation was recognised as a short-term measure and in two cases where the new systems were now in place, SENCOs recognised that this necessarily time-consuming period was over. Another SENCO anticipated that her new, and predominantly administrative, role was a temporary

response and that once the procedures had been established, there would be whole-school involvement.

Not all SENCOs interpreted the move away from teaching as a disadvantage however. One interviewee had pushed for more time away from the classroom as she felt it was a more effective method of initiating change. Support for pupils in the classroom continued to be provided by her learning support colleague. The SENCO explained:

When I first came I was literally doing a hundred per cent support – most of it in the classroom and staff used to bid for my time. But over the years ... it's been recognised that it's not the most effective use of my time and my role has radically changed and still is changing – fortunately. I am doing less and less in the classroom. My colleague still does but it's important that I get to talk more with departments and try to effect change that way rather than going in fire-fighting. Also, the amount of administration and the amount of individual time that any child needs means that I am unable to be in the classroom as much.

A significant move towards management of colleagues was a feature in most secondary schools where a marked increase in the size of the learning support department, often as a result of devolved funding, had created the need for a team leader. New skills needed to be acquired or developed (Garner, 1996) and the time needed for appointing, timetabling, supporting, training and monitoring colleagues inevitably encroached on the non-contact allocation. Despite this, most secondary SENCOs were considered to be highly effective managers of people and, in most cases, had built strong and loyal teams (see also, Lee and Henkhuzens, 1996).

The model whereby SENCOs move away from teacher to administrator, and in so doing take on full responsibility for implementing the Code of Practice, can be successful, providing that the SENCO is happy with the arrangements, is well supported by senior management and there are agreed strategies for ensuring that the special needs provision is a whole-school responsibility (for example, the idea of contracts for support being linked to targets in IEPs). Without these conditions, however, the dangers that emerged were that other teachers had no involvement in IEPs, and/or SENCOs felt disillusioned at not being able to teach (see also Dyson, 1995). A governor with responsibility for special education needs illustrated one of the difficulties associated with this model:

I noticed at the last INSET day, that it is a difficulty getting some of the staff to take it on board ... some staff find it a bit of an imposition to have regard to the Code of Practice on top of everything else.

3.3.2 Sharing out the load

The sharing of responsibilities was more common in the primary phase than in the secondary schools, with almost all primary SENCOs reporting that colleagues took on the responsibility for some of the administrative tasks. Of the SENCOs who carried the heaviest administrative load, three had no class teaching commitment and two were deputy heads who taught for three days a week. Typically, either class teachers in these schools wrote their own IEPs, or headteachers organised reviews and reports, or both. As one interviewee explained,

I don't have responsibility for annual reviews. The head deals with all that. It would be totally unmanageable to be a full-time class teacher and deal with all the 'phone calls for one thing, not to mention the paperwork.

The example below describes how one primary school shared the responsibilities.

Example

In one junior school, the class teachers wrote all their own IEPs and had non-contact time allocated for this purpose or for working directly with pupils in their classes with special needs. Learning support assistants who were well-trained (City and Guilds Certificate in Learning Support), contributed to the writing of IEPs, attended annual reviews and often wrote the review report.

In the secondary phase, this model was less prevalent and in seven of the ten schools, the duties of the SENCO were carried out by one postholder. In only three of the schools, was there was a wider interpretation and greater division of tasks. A different model for delegating responsibilities was adopted in each of these as illustrated in the examples below.

Example 1

The SENCO, who was also the deputy head, saw herself as a manager whose main objective was to get a framework in place. Her role was very much concerned with overseeing and reorganising special needs provision in the school rather than operating at a hands-on level, apart from arranging annual reviews. She commented that,

...the way in which the Code was written has frightened a lot of people and has made them write frameworks that are unworkable because they are so complicated. We started off down that road but said, 'Stop...we can't cope with this amount of paperwork when we have this number of pupils with special needs'. So we went back to the drawing board and introduced key stage SENCOs and Achievement Coordinators.

The two key stage SENCOs took responsibility for pupils with learning and behavioural difficulties while the Achievement Coordinators concentrated their efforts on under-achieving pupils. In addition, a Community Coordinator had been appointed to build closer links with parents. The deputy head/SENCO monitored the IEPs and ensured that teachers took ownership.

Example 2

The deputy head had line-management responsibility for a team of seven subject SENCOs. This model was developed to make a statement about the school's commitment to a high-profiled collaborative approach for meeting the needs of pupils with special needs. When the Code came out, responsibility for administration was given to one of these individuals but the workload proved too onerous for a full-time subject teacher and so had to be further subdivided and shared between two. One took responsibility for liaison and annual reviews while the other maintained the special needs register and monitored IEPs. INSET was shared amongst the team of coordinators.

Example 3

When we first saw the Code of Practice we thought "How on earth is one person going to manage all this?"

The solution for this school was to delegate responsibility for administering special needs provision amongst a number of individuals thereby enabling the SENCO to maintain a substantial teaching commitment. A member of the senior management team took overall responsibility for many administrative duties and a team of four support assistants each took a lead role in the following areas:

- maintaining the special needs register;
- setting up a filing system;
- organising the paired reading programme;
- ordering stock and resources.

In addition, three teachers in the school were given an additional responsibility point for:

- convening annual reviews;
- making special arrangements for examinations;
- managing the paired reading programme.

Responsibility for chairing annual reviews was rotated between the SENCO, the senior manager and the teacher who organised the meetings. One learning support assistant (who was also a governor) concluded, *'It is a real team effort. We all have our own area of responsibility. The SENCO provides the expertise but the workload is shared'*.

Although the practice of officially delegating clear areas of responsibility to other members of staff was the exception rather than the rule, the idea of linking subject teachers to the learning support department was more common across the secondary schools in the study. Only three of the ten had not established this principle to a greater or lesser extent. The effectiveness of establishing departmental representatives or link teachers varied from one school to another. In some, this arrangement had been in place for a number of years and teachers were given additional responsibility points in recognition. Meetings were held on a regular basis and link teachers were expected to raise special educational needs issues on their own subject meeting agendas.

Others had only recently implemented this system and were not yet in a position to evaluate its effectiveness and, unlike the examples illustrated above, such posts were not generally recognised financially or in terms of additional non-contact time. As one SENCO pointed out, this could sometimes lead to feelings of resentment on the part of those colleagues concerned:

At the moment this arrangement is done on a voluntary basis and there is no financial reward. Maybe I would have instigated it before but the Code probably pushed me to do it. One has to give the Code to other people, which is very hard because they think it is the SENCO's job.

Even in schools where the SENCO held full responsibility for all aspects of the Code's management, the need for wider involvement from other staff was considered desirable and, in the minority of schools where subject teachers were not linked in any formal way, SENCOs still needed to delegate some of their duties to others in their own department. Certainly for the schools described above, wider delegation was considered to be an effective strategy in managing the demands of the Code of Practice and raising the profile of special needs throughout the school. Each had started out with a very different set of circumstances and had experimented with different methods along the way, but the driving force was the same in each case: their shared belief that the requirements of the Code were too demanding for one

person. Not surprisingly, it was important for roles and responsibilities to be clearly demarcated in order to avoid confusion and conflict. This was illustrated well in one secondary school where the wide delegation of tasks had caused an element of confusion in the minds of some mainstream teachers as to who had responsibility for what. There was even some uncertainty as to who the SENCO actually was and a feeling that job boundaries had become too blurred in the process.

3.3.3 Streamlining the procedures

In schools where the SENCO's time was more or less equally divided between mainstream teaching, supporting pupils with special needs and taking sole responsibility for administering the Code of Practice, the SENCOs concerned had emphasised the need to minimise the administrative burden by keeping things in perspective and doing everything possible to make it more manageable. Each SENCO in this predicament took slightly different approaches (described below) in their attempt to alleviate the problem. Some worked hard to set pragmatic systems in place; others were more philosophical and came to the conclusion that in their school, the Code of Practice would be interpreted more flexibly.

Example 1 in Chapter 2 describes how one secondary SENCO in this position set up a system to streamline the organisation and management of IEPs (see p. 17). The SENCO at a different school claimed that IEPs were not completed in the way that most schools approached them. Here, they were written for pupils with statements but not for any other pupils at the various stages of the Code. This SENCO believed that the latter approach would not be feasible, given the number of pupils on the special needs register. Added to that, the SENCO was sceptical about the likelihood of colleagues using IEPs in any case, so concentrated instead on raising their awareness of special needs issues, as a first step. This SENCO also admitted that as far as annual reviews were concerned, not all of the paperwork was completed. It was either that or fail to meet the deadlines for reviews. In a third secondary school, although the SENCO had little in the way of mainstream commitments, there was a large proportion of pupils on the special needs register. The SENCO in this school agreed that paperwork did not necessarily improve provision and where any changes had to be made to bring arrangements into line with the Code of Practice, they were dovetailed in with existing good practice. Like the example described above, this school did not use IEPs, as such, as the SENCO considered the idea unsuitable for large numbers of pupils. Instead, the school had action plans which detailed much of the same information but operated in a less rigid way. The process of reviewing, for example, was on an informal basis and involved fewer people.

3.4 Discussion

There is no doubt that the role of the SENCO has expanded out of all recognition (see Garner, 1996; Loxley and Bines, 1995; Hornby, 1995). In some primary schools it is a relatively new concept but even where a post holder was in place prior to the Code of Practice, the role has taken on such a range of dimensions that schools have had to give significant consideration to this development. In the two years since the Code's publication, it would appear that, having taken the guidance for procedures fully on board, schools have subsequently undergone a period of trialling, with headteachers, governors and SENCOs themselves having to regularly appraise and revise their arrangements to ensure that requirements would be met. In some cases, considerable changes had to be made as senior managers realised that the system they had in place was no longer viable.

There were changes in staffing structures, timetabling arrangements, and newly created posts and support networks were established as a result of the increased demands. In terms of their job descriptions, SENCOs identified a number of changes. Some found, to their disappointment, that they were doing less teaching whilst others viewed this more positively, seeing it as a more productive way of effecting change. As more resources were delegated, SENCOs became managers of teams. In primary schools, SENCOs were seen as a catalyst and, whilst some felt ill-equipped to advise colleagues, many spoke enthusiastically about the quality of collaboration that had been fuelled in the process. In almost every case, class and subject teachers, as well as senior managers, demonstrated respect and open admiration for their SENCOs, recognising that the Code had elevated their position in the school. As one deputy head put it, *'gone are the days of the SENCO being there to provide a cuddle and a room for kids to hide in!'*

Each school in the study had established its own model. Some were still seeking the ideal; others admitted misjudgement prior to discovering more workable solutions. There was no apparent relationship between the number or proportion of pupils with special educational needs and the arrangements which effectively defined the role of the SENCO but three main patterns of response emerged across the phases: either the SENCO did less teaching and more paperwork, the administrative load was delegated amongst a number of staff or the procedures were streamlined. Those SENCOs who found the management of their role the most problematic were those who took sole responsibility for administration and who continued to maintain a substantial teaching load. Those who expressed least concern were those who were actively supported by their managers and colleagues.

3.5 Summary points

- ◆ **The Code of Practice identifies the responsibilities of the SENCO but offers no prescriptive model for the role. In many schools the role has been developed, or at least redefined, to enable the requirements of the Code to be met.**
- ◆ **Senior managers in the case study schools recognised the importance of the SENCO's status in implementing the Code. More than half of the primary school SENCOs were deputy heads or members of the senior management team. Whilst this was less often the case in secondary schools, all those interviewed considered their status to be high.**
- ◆ **The Code of Practice has generated a wide range of duties and tasks which schools have taken readily on board. In many cases, staff-related changes had to be initiated because the amount of work involved was underestimated.**
- ◆ **The substantial administrative demands of the Code have been tackled by reducing the amount of teaching undertaken by SENCOs, sharing the workload more equitably, limiting procedures in some way or combining any of these responses.**
- ◆ **There is no apparent relationship between the proportion of pupils with special educational needs and the amount of administration time that SENCOs receive. The latter is more dependent on the way the role is defined and applied.**

CHAPTER 4

TRAINING FOR THE CODE

4.1 Introduction

For many LEAs, schools and other agencies the Code of Practice required major changes in the arrangements made for the identification and assessment of pupils with special educational needs. In order for these changes to be made, an awareness and understanding of the central issues in the Code were necessary. According to Peter (1994) '*training is seen as vital*' in the effective implementation of the Code of Practice and this is reflected in the identification of GEST (Grants for Education, Support and Training) funding specifically for this purpose.

Most of the existing research, albeit limited, has included questions on the extent of training received and/or delivered and shows that quite large numbers of special educational needs coordinators in the studies have received training on the Code of Practice. For example, 90 per cent of primary and secondary school SENCOs in the five LEAs surveyed by Roehampton Institute (Evans *et al.*, 1995) had received training on the Code and, according to a national survey of primary schools in England and Wales, approximately two-thirds of SENCOs had delivered and/or received INSET on special educational needs (Lewis, 1994). Additionally, according to a report from the University of Warwick (Lewis *et al.*, 1996), both LEA-based and school-based training was seen as adequate by the responding SENCOs and no age-phase differences were evident in provision or quality. Whilst these pieces of research focus on the central role of the SENCO, all school staff (and LEA staff) are involved in implementing the Code and their views must be taken into account when examining the extent and effectiveness of training provided.

In the first section of this chapter an overview of the training delivered by the 55 LEAs responding to the NFER questionnaire will be provided, and the issues which emerged from the interview data from the 21 first-round LEA interviews will be discussed (for more details see Interim report, Jowett *et al.*, 1996). A more detailed analysis of the training situation in the five case study authorities will be provided in the second section, which includes the views of various LEA personnel on the extent of the training provided and

the views of SENCOs, headteachers, governors and teachers on the effectiveness of the training received. The training received by professional staff in other agencies, namely health authorities, social services and careers services, will be discussed in Chapter 7.

4.2 Overview

According to the questionnaire results, the range of topics covered in the training was wide. All of the LEAs had included training on the development of individual education plans (IEPs); the other most frequently covered areas were special educational needs policy formulation (53 LEAs), record keeping (52 LEAs) and statutory assessment procedures (51 LEAs). Most of the interviewees reported that there had been comprehensive coverage of the Code and that sessions had been well-attended; detailed working practice would need to be covered in future sessions. The extent to which further training was planned varied but in addition to any formal training there was continuing work and discussions with schools via meetings assisted by support staff.

The interviews revealed that the emphasis in all the training focused on the Code was on informing and supporting school staff. In one authority the training was described as providing '*reassurance*' about the requirements of the Code. About two thirds of authorities responding to the questionnaire (36 LEAs) had carried out systematic investigations into the professional development needs of school staff in relation to the Code of Practice. Interviews indicated that the methods employed included a needs analysis of the support that schools felt they required and a questionnaire to identify schools' priorities for training.

The questionnaire showed that it was mostly LEA personnel who provided the training, including staff from: the special needs support services (in 52 LEAs), educational psychology service (in 49 LEAs), the advisory and inspection service (in 45 LEAs) and LEA officers (in 51 LEAs). Two responding LEAs indicated the use of secondary school SENCOs in developing or delivering training; legal experts, headteachers, special school staff, DFEE personnel and HMI were each mentioned by one LEA.

LEA respondents to the questionnaire were asked to indicate the recipients of the training and the responses are listed in Table 4.1.

Table 4.1 Client groups for which LEA training was provided

Client Group	No. of LEAs
Special needs coordinators	55
Governors	55
Mainstream school headteachers	53
Special school headteachers	46
Support service personnel	45
Other agencies (for example health/social services)	41
Other mainstream staff	38
Other special school staff	27
Other	13

Based on 55 LEAs

The 'other' client groups identified were voluntary agencies (4), parents (4), other LEA officers (for example, advisers) (4), educational social workers/welfare officers (2), and non-teaching staff (1).

Interviewees expressed some concern over the balance between the training needs of staff from special and mainstream schools. There was some unease about continuing the 'separateness' of the two sectors with specific training courses for each and yet it was perceived to be difficult to design courses that would cover the needs of both. The emphasis in most of the training tended to be on stages 1-3, covering the bulk of mainstream work but special schools needed emphasis on stages 4 and 5 and annual reviews. As a result, in 15 authorities, staff from special schools were trained separately from those in mainstream schools and in a further 15 they were trained either separately or with mainstream colleagues, depending on the focus of the session.

For some authorities the training that had already been provided was seen as an initial stage that would be built upon as more specific issues arose during the course of working with the Code. Having clarified the principles and expectations of the Code through training, two interviewees believed there was a need to allow some 'bedding in' time for schools to establish their systems and to identify their future training needs. In many LEAs, authority-wide training was expected to be ongoing according to demand and, in others, in-school support from advisory teams and the educational psychology service would pick up on any issues not already covered. There was an awareness that appropriate constructive support was needed although not to the extent of overwhelming staff.

Some of the issues that LEA interviewees expected to include in future training were:

- stage-based assessment;
- monitoring the success of the special educational needs policy;
- participation in appeals and tribunals;
- entry and exit criteria for stages;
- coping with writing large numbers of reviews.

In the initial round of LEA interviews the training for the Code was generally described as taking a staged approach. The first phase was offered to headteachers, SENCOs and governors so that they all received the same message. These initial sessions were taken up by most schools, although in only a few authorities were the exact attendance figures recorded. More detailed training sessions for SENCOs tended to follow, with an expectation that the knowledge received would be cascaded to all school staff.

The five case study authorities fitted into the broad patterns described above but the example below stands out as a particularly good illustration of the comprehensive and coordinated training offered in some LEAs.

Example

The training comprised three main phases:

Phase	Format	Audience	Topics covered
1	Meetings, summer term 1994.	Headteachers, SENCOs, support service staff.	General information on the Code.
2	One-day sessions.	40-50 SENCOs at each session.	Implementing the Code. Practicalities: paperwork, IEPs.
3	Workshops of six half-day sessions over several weeks.	12-15 SENCOs at each session.	Practicalities: developing IEPs and monitoring them.

All training was delivered by the EPS and support service staff with contributions from advisory staff in phase 1. Feedback from the first meetings fed into the development of subsequent phases. All sessions offered were well attended, with about 80 per cent of schools represented in the second phase and about 60 per cent of schools (more in the case of primaries) involved in the third phase.

The development and delivery of training by staff from different parts of the education service allowed for collaboration between them, resulting in the strengthening of working relationships and the establishment of authority-wide objectives. Networks of SENCOs had also emerged in some areas as a result of the training sessions.

The value of mixed groups for training (for example, headteachers, governors and SENCOs) was emphasised, as this facilitated a shared commitment to development and an understanding of the ways in which staff could work together.

4.3 School perceptions of LEA training

As evidenced above, most LEAs had taken training very seriously, attempting to achieve good coverage of the issues facing schools and high take-up of the courses offered. The extent to which this had been achieved in the five case study authorities was investigated in the school-based interviews. All school staff interviewed were questioned about the availability, take-up and quality of LEA training on the Code. Since the LEAs had targeted their training at specific groups of staff, such as headteachers, SENCOs and governors, this is how the analysis of their responses is divided in the following section.

4.3.1 Headteachers

With the exception of one authority, LEA interviewees indicated that their training sessions had included headteachers, at least in the introductory phase. Not surprisingly, headteachers from this one authority indicated that there was no LEA support available to them and that they had to go to another neighbouring LEA for advice. Two headteachers in this authority appeared to accept that, since the LEA was late in reacting to the Code, the LEA and schools were learning about it at the same time.

In the remaining four authorities there was an age-phase division in the headteachers' perceptions of the availability and effectiveness of the training offered. Primary school headteachers were generally enthusiastic about the training sessions, impressed by the coverage of a wide range of issues and welcoming of the opportunity to attend training courses with their SENCOs and governors. Descriptors like *'excellent'* and *'very good'* were commonly used in summarising the LEA's input.

Headteachers from secondary schools, on the other hand, described the training as *'reasonable'* at best. Two felt that the LEAs themselves had not possessed the knowledge or organisational framework needed to offer support to schools. One headteacher had decided not to use the support that was available, instead choosing to make use of the expertise available within the school.

Secondary school staff frequently referred to the Code as putting forward a primary model; for secondary schools, therefore, this meant finding a balance between what was expected by the Code and what was practical given the issues specific to the age phase. Much of the initial training was an introduction to the Code which drew attention to the practices and procedures as they were described in the document. This appeared to offer little to secondary schools as an effective and acceptable interpretation of the model.

4.3.2 SENCOs

The bulk of LEA training was aimed at SENCOs, in all five case study authorities. LEA interviewees estimated that the majority of SENCOs would have attended at least the initial introductory sessions on the Code and one authority ensured 100 per cent take-up of one of their courses by identifying non-attendees. In two authorities SENCO support groups existed, one having emerged directly as a result of the increased communication during training. These support groups were seen as being very useful. In one authority, the primary SENCOs received substantial in-school guidance from the LEA support service through workshops and the setting up of working groups and in the other, an LEA link person was identified to support each group of SENCOs.

SENCOs from four of the five authorities were satisfied with the training received from the LEA. The SENCOs in the remaining authority were not satisfied with their LEA's input because it had come too late and the schools themselves had already tackled the issues.

Both primary and secondary school SENCOs in the other four authorities found their LEAs *'very supportive'* in providing *'very good'* training. Primary school SENCOs were slightly more enthusiastic than secondary colleagues but all were glad of the opportunity to attend courses with their headteachers and governors.

4.3.3 Governors

Governors have a legal responsibility to keep themselves informed about special educational needs provision in their schools, particularly so that they can *'have regard to this Code of Practice when carrying out their duties toward all pupils with special educational needs'* (GB. STATUTES, 1993).

Governor training was provided in all authorities when the Code was first introduced but attendance varied across the five LEAs. In four of the five authorities, the governors interviewed had attended some training, often with the headteacher and SENCO. In the fifth authority, the governors interviewed had not attended any training although there did not appear to be any single reason for this. The governor of one primary school in this authority simply stated that she had four children and *'just did not have the time'* to attend evening training sessions.

The training was generally well-received by those who had attended, with the exception of secondary governors in one authority who found the sessions *'very poor'* and *'not very helpful'*. The existence of a governors' *'help line'* was felt to be invaluable in one authority since one-off training sessions could not cover all the issues arising on a day-to-day basis. A number of governors interviewed expressed a need for contact with governors in other schools in order to compare and discuss their roles, and for reassurance that they were carrying out their duties with regard to the Code.

Whilst most governors seemed reasonably knowledgeable about the impact of the Code, their level of understanding about their own statutory duties and contributions was limited (as is shown in Chapters 2, 5 and 6).

4.3.4 Teachers

When interviewed about training for the Code, Ingrid Lunt, of the Institute of Education in London, stated that *'the vast majority of special needs will now have to be met by ordinary classroom teachers'* (O'Grady, 1994). However, much concern has been expressed in the literature about whether teachers have the expertise to identify and provide for children with special educational needs and, therefore, whether they can meet their responsibilities under the Code of Practice (Aubrey, 1994). Much of the concern centres around the extent to which special needs is addressed in initial teacher training (op. cit.) and the quality and accessibility of INSET (see for

example, Landy, 1995). The bulk of the research and literature on the Code of Practice concentrates on the role of special educational needs coordinators and whilst they are often the *'linchpin'* in the process, it is the class and subject teachers who have responsibility at stage 1 and beyond to collect evidence about a child's needs, to differentiate the curriculum and to monitor and review progress (Aubrey, 1994). The Special Educational Needs Training Consortium report stresses the importance of training for all teachers since *'every teacher is a teacher of pupils with special educational needs'* and because of this *'a systematic plan of staff development should reach all teachers'* (SENTC, 1996, para 5.2, p.47). According to the NFER research, LEA training seems to have had little impact in preparing teachers for their extended duties.

Although 38 of the 55 respondents to the questionnaire indicated that their LEA had provided training for *'other mainstream school staff'* (see Table 4.1), none of the primary school class teachers interviewed had attended any LEA training on the Code and only two indicated that their LEAs had offered training to class teachers. In both these cases, the teachers had not felt the need to attend the courses put on by the LEA because they relied on their SENCOs for information.

Heads of departments in secondary schools were generally *'not aware'* of any LEA training on offer to them for the Code with the exception of those in one LEA. In one of these schools, an LEA adviser had delivered some in-school training and in another the interviewee had attended some LEA courses in her capacity as departmental SENCO.

There was a major discrepancy between what LEAs had offered and what schools had received by way of training on the Code of Practice. This may be due to one of several factors: inadequate or misleading promotion by LEAs of their courses for teachers; teachers might have forgotten that training had been offered when the Code first came out, as this would have been almost two years before the NFER interviews took place; the training information might not have been passed through to those teachers interviewed, on account of poor internal communication. Whatever the reason, LEAs had not been successful in getting their message directly to class and subject teachers. The following section will reveal the extent to which information had reached school staff from sources other than the LEA.

4.4 School-based training

As noted earlier, much of the LEA training for SENCOs was carried out with the intention that they would cascade the training throughout their schools and all the SENCOs interviewed had done this to some extent. The SENCO in one school had bought in a full day of training from a local staff training college and believed it to be '*excellent*' and '*money well spent*' but SENCOs in all the other case study schools had delivered the training themselves.

4.4.1 Training received

The training was delivered in the form of workshops, INSET days and staff meetings or a combination of all three, in addition to ongoing support as requested. Primary school SENCOs tended to use whole school staff meetings to disseminate information on the Code and to update on any new procedures. Secondary school SENCOs made their input at departmental meetings or at the meetings of departmental special educational needs representatives, where they existed. Departmental representatives were then expected to pass on the information to the staff in their departments.

A number of SENCOs had produced written information summarising the Code and its implications for their school and one had produced an induction pack on special educational needs and the Code for all new members of staff.

Initial training for governors on the Code was available at both LEA and school level, but ongoing opportunities for updating knowledge and awareness were limited, in a number of cases. In two schools, special needs governors were employed in the learning support department and therefore had full access to INSET, but other governors, unless retired and able to go into school at convenient times, were unlikely to access further training other than during governors' meetings.

Most of the class and subject teachers interviewed had received in-school training although one secondary school head of department had received no information on the Code and had only been made aware of individual education plans in the summer term 1996. Most other teachers reported receiving ongoing training, particularly on updating of the various forms to be used. The head of the English department in one secondary school stated that issues relating to special needs and the Code '*permeate all training rather than being separate*' and that special needs was on the agenda of all departmental and school staff meetings.

4.4.2 Further training required

Whilst both the LEA and SENCOs in the case study authorities had provided a range of training on the Code, the school staff themselves identified a number of issues on which they would have welcomed training or at least further clarification. Most of these issues were identified by the class and subject teachers interviewed although in some cases the headteachers and SENCOs had also identified future training needs for their colleagues.

The most common issue across the age range was the need for more help in the writing and use of individual education plans and this appeared to be the case even in schools where the SENCOs had offered support in this area. Coping with behavioural problems was identified as an area in which primary teachers, in particular, would welcome more guidance although it was felt that the Code itself did not adequately address this issue.

The main area of concern for secondary school teachers was the need to acquire skills for teaching basic numeracy and literacy. Over half the teachers interviewed were concerned that they were not well enough equipped to offer their full support to less able pupils due to this gap in their training. This reflects findings reported in the project on integration (Lee and Henkhuzens, 1996). The head of mathematics in one school had brought in a special school teacher to show the department some basic mathematics teaching skills and this was felt to be very useful, although it needed to be continued on a more permanent basis.

Other areas identified as requiring further training included: the effective use of learning support assistants, the use of diagnostic tests, dealing with parents and differentiation. A number of teachers stated that they would welcome ongoing training on the processes of the Code either because, as in one case, there had been none before or because there was so much happening that it was difficult to take it all on at once. Only one primary school and one secondary school teacher felt that they did not require any further training and in both cases this was due to regular liaison with the SENCO or special needs department.

SENCOs themselves did not generally feel the need for any additional training although one felt that the LEA training offered would not have been sufficient for any SENCO who did not have a background in special needs.

Governors felt well informed by their SENCO although some would have welcomed LEA-level training specific to their school setting, for example, aimed at secondary school governors only. One governor would have liked

the opportunity to share experiences and problems with governors from other authorities through inter-authority training sessions.

A number of different staff mentioned that the effectiveness of learning support assistants would be improved if teachers and support staff were offered guidance in the most effective ways to work together, and if support staff were fully trained before they came into the school as there was not time to offer on-the-spot training. One LEA was trying to 'skill up' its classroom assistants by running externally accredited courses, such as those offered by the City and Guilds. These courses were reported to be extremely popular as they were always over-subscribed. Two learning support assistants were interviewed in one primary school in another authority and they were not aware of any LEA training available to them although they had been studying for an external course, paid for by the school.

4.5 Effectiveness of training

LEAs seem to have been offered an impressive range of training on the Code of Practice, at least in relation to the number of courses. However, on closer inspection, it is doubtful that the training offered sufficiently covered the needs of all school staff in delivering the Code. Much of the training, according to LEA staff interviewed, had been more of a briefing than in-depth analysis and guidance on putting the Code into practice in schools.

Even those LEAs that had provided relatively detailed guidance on the Code had focused it on SENCOs and members of the senior management team, leaving it up to the already over-worked SENCO to ensure that other staff were aware of their responsibilities. There was no evidence that SENCOs had received guidance on effective ways to cascade their training. This had not only increased the workload of SENCOs but rendered teachers' knowledge of the Code dependent upon the time given by, and the depth of understanding of the SENCO. In many secondary schools, teachers received their information via yet another intermediary: the departmental special educational needs link person. With these approaches it is inevitable that the messages delivered by the LEA will be somewhat diluted by the time they reach the class-based practitioners, and it is therefore not surprising that some secondary teachers have less knowledge of the Code than their primary colleagues.

Secondary school headteachers were not as impressed by the LEA training as those from primary schools attending the same sessions. Perhaps the very fact that the training was offered to both sectors was part of the problem, with

LEAs missing the opportunity to help secondary schools to implement policy and procedures laid out in a document that has been frequently criticised as being primary in focus. The reactions of secondary school subject teachers reflected similar views.

Most teachers highlighted the need for further training although the issues that were raised by teachers did not match those generally planned for future training by LEAs. LEAs generally believed that they had covered the basics of the Code's processes and once those had had time to '*bed in*' they would move to guidance on monitoring and reviewing the systems. What schools needed, however, was further clarification of specific aspects of the Code, which may well have been covered in initial training but which, in practice, had thrown up further issues, problems and queries. The stage of the research at which the interviews took place might have had some bearing on this apparent discrepancy: the LEA interviews were undertaken during the autumn term 1995 and the school-based interviews during the summer term 1996.

In order to take account of staff turnover and, in particular, the terms of Governance, training on the Code and related issues will continue to be needed on a regular basis.

4.6 Summary points

- ◆ **LEA personnel outlined comprehensive training offered on the Code. However, there were no clear plans for monitoring the effectiveness of training sessions or for ensuring that the messages had been cascaded to all school staff.**
- ◆ **Interviewees expressed a need for training to be ongoing according to developing requirements if all those to whom the Code applied were to be able to carry out its intentions successfully.**
- ◆ **Mixed training groups (headteachers, governors and SENCOs) were highly valued as an opportunity to consider policy and practice with colleagues who were able to offer different perspectives.**

- ◆ **Primary and secondary school staff had different training needs as the demands of implementing the Code were often specific to the age phase.**
- ◆ **SENCOs were generally satisfied with the training offered to them by the LEA.**
- ◆ **SENCO support groups were highly valued where they existed.**
- ◆ **Governors did not always feel confident that they were fulfilling their responsibilities for special educational needs and the Code. They would value the opportunity to talk to other governors with responsibility for special educational needs and to set up governor support groups.**
- ◆ **Whilst LEAs had provided training on the Code for governors, the majority of the governors interviewed had obtained their knowledge of Code from within their schools.**
- ◆ **SENCOs, and occasionally other senior staff, were required to provide training for the staff in their schools, usually without any specific training for fulfilling this task.**
- ◆ **Teachers were wholly reliant upon their SENCOs for guidance on the Code thereby placing an added burden on the SENCO to deliver the school-based training.**
- ◆ **Teachers would welcome initial and further training on a number of issues:**
 - **Writing and using IEPs;**
 - **Coping with pupils with emotional and behavioural difficulties;**
 - **Teaching skills for basic numeracy and literacy in secondary schools;**
 - **Effective use of learning support assistants;**
 - **Differentiation;**
 - **Dealing with parents;**
 - **Processes of the Code.**

CHAPTER 5

POLICY AND RESOURCING

5.1 Introduction

The funding of special educational needs is a notoriously '*formidable business*' (Fletcher-Campbell, 1996). The level and means by which LEAs fund pupils with special educational needs are entrenched in past policies on special education and the historical and political settings in which they operate. Local Management of Schools has changed the nature of funding arrangements and LEAs are now increasingly delegating funds for non-statemented special needs through various social and/or educational need indicators. In some cases funding for statemented pupils is also being delegated to schools. The Code of Practice, with its staged and systematic approach to the identification and assessment of pupils with special educational needs, reinforces the concept of a continuum of needs being matched with a continuum of provision and clearly identifies the responsibilities of schools, LEAs and governing bodies in ensuring that resources are used effectively and differentially to this aim.

5.2 Policy and practice

The detail on resourcing arrangements for special educational needs included in policies varied considerably between the case study authorities. In only one of the policy documents was there a breakdown of the way in which resources were allocated to pupils at stages 1 to 5 of the Code. All policies described the extent of LEA provision, such as the services available, with a brief explanation of how schools could access those services and how they were funded. In one document, the way in which resources were allocated clearly underlined the LEA's policy on special needs, for example:

- To resource mainstream schools through delegated budgets to allow them to meet the needs of the majority of children through their own resources.
- To provide support services for mainstream schools to encourage early intervention and the education of children with special educational needs within a mainstream setting wherever possible.

- To develop the use of supported places schemes and resource bases within mainstream schools to encourage the integration of children with Special Educational Needs who might previously have been placed in special schools.

The policies that were available to the research team were all draft policies which had been amended in the light of the Code.

5.3 Changes in resource allocation

Questionnaire respondents were asked whether they had made any changes in resource allocation as a result of the introduction of the Code of Practice. Fewer than half of the LEAs who responded to the survey had made changes. However, as the following list reveals, the changes that had been made covered a broad spectrum of which the majority had only one mention each:

- proxy indicators replaced by number of pupils at different stages (7 LEAs);
- increased delegation to schools based on the Code stages (5);
- one-off payments given to implement the Code (3);
- weighting shifted to favour early years and primary, to support early intervention (2);
- reduction in educational psychology service (1);
- reduction in support services (1);
- Cognitive Ability Tests used for resource allocation (1);
- educational psychology service time allocated to schools on the basis of the number of pupils on free school meals (1);
- increase in stage 5 resourcing (1);
- resources allocated for release time (1);
- increase in funding (general) (1).

Initial interviews revealed that in some authorities significant changes were being made in the method of allocating resources for special educational needs. Whilst such changes were attributed to the Code of Practice, it should be noted that a number of interviewees also stressed the impact of other intervening factors which had highlighted a need for modification: for example, recommendations in District Auditors' reports; appointment of new staff at senior management level; a need to reduce escalating statementing costs. Whilst these factors were of great influence in decisions on policy and

practice, it was often the introduction of the Code that had provided the impetus for long-needed change. The types of initiative implemented to change the method of allocating funds included:

- redesign of the statementing process to improve efficiency;
- restructuring of the management tier within the LEA;
- a full review of policy and provision within the LEA;
- reduction of out-authority placements and an injection into mainstream of the money saved;
- reduction in the centrally controlled special needs support service in order to delegate the money to schools;
- change in the method of allocation of funds to a purchaser/provider system which is top-sliced for special needs;
- delegation of money to schools through a special needs audit.

As evidenced by the scope of initiatives undertaken, LEAs were in very different positions when the Code was introduced in relation to resource allocation and LEA structure. Some LEAs were faced only with the fine tuning of existing systems, whereas others were facing major structural and financial reorganisation.

In the five case study authorities, additional resources were allocated for non-statemented special educational needs through the LMS formula using the following indicators:

- a precise audit of the numbers of pupils with special educational needs on the roll in individual schools;
- free school meals;
- combinations of the above (for example, one authority was using free schools meals as a social deprivation factor alongside the audit).

In addition to the variations in indicators used to allocate resources, LEAs varied considerably in the provision of support services and the basis upon which those services were offered to schools. Approaches ranged from LEAs which delegated 94 per cent of non-statemented funds to schools and which provided virtually no support, to LEAs which had maintained large, centrally-funded support services.

There were substantial variations in the extent to which the Code had had an impact on the method of allocating resources. In two of the authorities, an audit of special educational needs, along with criteria for access to each of the stages, had been in existence prior to the publication of the Code and the stages of the audit were almost identical to those described in the Code.

Those LEAs therefore had very few adjustments to make. In another authority, a combination of all indicators was being used but the LEA was in the process of deciding what percentage of funding should be driven by the audit which had been introduced in autumn 1995. The District Auditor's report had suggested that they move away from the use of free school meals and the Code then gave them the impetus to look at resource allocation and the management of special educational needs in general. The free school meals component did drive the level of resources to schools in one LEA but, due to controversy over the effectiveness of such an indicator and the introduction of the Code, an auditing approach using the stages of the Code to trigger resources was being piloted.

There was only one case study authority that was not using, or piloting, an audit and this authority was undergoing a review of special needs, which included eliciting schools' views on the type of provision and funding mechanisms preferred for the future.

Statementing rates, LEA policies on special educational needs and methods of resource allocation were inextricably linked, to the extent that it was often difficult to establish which had been the causes of changes and which were the effects. The Code of Practice added another dimension to this complex web in that it had invariably had an effect on one or other of the factors and created a 'knock-on' effect throughout.

5.4 Levels of statementing

The most frequently cited reason for reviewing the ways in which special educational needs were resourced was concern over the rate of statementing in the authority. The types of issues relating to levels of statementing and their effect on resourcing included:

- the need to remove schools' urge to push for statementing in order to secure extra resources;
- the need to free up resources that had been used to support the statementing process and to put the money into schools;
- the need to reduce the strain on LEA staff of the high numbers of statements and consequent reviews. For example, in one LEA, schools had been sending copies of the annual reviews to the LEA *'but no one has had time to read them'*. This situation meant that the LEA had lost an opportunity for monitoring although staffing levels were subsequently being increased to deal with it.

Levels of statementing in the case study authorities ranged from two per cent to about four per cent of the school population. Since the implementation of the Code of Practice, the number of statements had increased in three of the five authorities. Interviewees from these LEAs indicated that this was because:

- the stages of the Code were seen as steps along which to travel in order to reach the statement;
- the statement was seen as a way of securing additional resources.

Two measures considered helpful in reducing the numbers of statements issued, according to LEAs, were: making entry to the stages dependent on clear criteria and subsequently monitoring the effectiveness of the intervention at each stage. In two of the authorities the number of statements had been reduced. In one, an interviewee explained that schools were not providing sufficient evidence for assessment as required by the Code and in the other, the reduction was reported to be more as a result of the audit (and its criteria) which was already in place, than of the Code itself. Here, although many of the systems had been used prior to the Code, its effect could be seen in the number of statements needing amendment. The substantial cost of statutory assessment and of maintaining statements is well documented in the literature and was frequently referred to in the LEA interviews. It is not surprising, therefore, that methods of resource allocation were also reported to be methods of attempting to control statementing rates in four of the five authorities.

It was hoped that a system which identified clearly where the responsibility for action lay and what needed to be done at each stage would encourage earlier and more effective responses to pupils' difficulties. A culture shift was believed to be necessary so that, by removing incentives to place children on higher stages to secure support or resources, the emphasis would be placed on meeting needs effectively at early stages. However, it was also acknowledged that at a time of scarce resources for education, schools would inevitably look for opportunities to access additional funding, especially if they judged the resources available at stages 1-3 to be inadequate. Unfortunately, there appeared to be a '*chicken and egg*' situation in that without resourcing in schools there could not be preventative work, and without preventative work there would be more assessments and less money in schools. As one LEA interviewee acknowledged, '*you can't control by a needs-led budget*' so they must change people's expectations of the system.

Evidence suggested that the culture shift needed to be towards giving the schools the confidence and support to provide for special needs without the need for a statement. This level of confidence had to extend to parents, however, since it was not always the schools alone that pushed for the child's statement. Such a culture shift would take time and was felt to be dependent upon alternative methods of resource allocation. The interplay of resourcing mechanisms used by one authority to reverse their upward trend in statementing rates reveals the extent to which other authorities may need to alter their structures:

Example

This was the only case study authority in which statementing levels had decreased in the last couple of years. The decrease was attributed to the introduction of an audit of special educational needs, criteria for assessment and delegation of funds to schools, rather than to the Code. In this authority, an LEA interviewee stated that there was '*no point in schools pushing for statements because there was no extra funding*'. Money was allocated through an audit of need, not through individual statements, and delegation was therefore seen as '*putting a hand brake*' on the number of statements. This particular LEA had these mechanisms in place prior to the Code because it needed to reduce the escalating numbers of statements and felt that schools needed to take responsibility for their pupils with special educational needs. In this case, the Code reinforced the idea of two per cent of pupils having statements and fitted with the LEA's methods of delegating funds.

Other authorities were in the process of rethinking their methods of resource allocation, partly in order to control statementing.

5.5 Delegation, criteria, audits

5.5.1 Delegation

The position regarding delegation of stated funds varied considerably between the five case study authorities. For example, in one authority, LEA support staff were allocated to pupils with statements, often resulting in large numbers of support assistants in each school. Schools in this authority would have found it more useful to have been given the funds to appoint staff of their choice. In another authority a substantial amount of the statement-related funding was delegated to schools as part of a sliding scale, identified and allocated according to the stages of the audit. A third authority was

trials a new initiative in 13 schools, each with a high proportion of pupils with special needs, whereby all statemented and non-statemented money was delegated to those schools. One case study school was part of this initiative and found that the system allowed a flexible and efficient use of resources.

Some LEA personnel expressed reservations regarding the delegation of statemented funds. For example, one LEA interviewee in particular, was concerned about the potential loss of LEA control of special educational needs when money was given over to schools. Perhaps for the same reason, the head of the support service in another authority repeatedly expressed relief in finding evidence in the Code to highlight the role of the support services.

Where schools had been consulted on the issue of delegation versus centrally held funds there appeared to be divided opinion. In one LEA that had surveyed schools on their views, secondary schools wanted delegated funding for stages 4 and 5 whereas primary schools were concerned about whether they would be able to afford to buy in provision that had previously been available through the economies of scale of centrally held resources.

5.5.2 Criteria for assessment

All LEAs had criteria for statutory assessment in place, although some were still in draft form. It was hoped that the use of criteria would result in a more equitable allocation of resources rather than a situation where resources were allocated to those *'who shout the loudest'*. Criteria for the stages of the Code were in place in some LEAs and/or for stages of the audit in others. In one LEA where the criteria for the stages were still in draft form, they were reported to be *'desperately needed'* in order to ensure the placement of pupils according to their needs and not according to the LEA provision known to exist at a particular stage. Interviewees in other authorities expressed concern on this matter. One authority was piloting separate sets of criteria for achievement and for provision, in an attempt to separate the two.

5.5.3 Audits

In common with earlier findings, (Fletcher-Campbell, 1996) the LEAs which were using the audit approach highlighted the perceived benefits of allocating resources in this way. They felt that the use of an audit:

- provides greater standardisation of provision between schools;
- emphasises responsibilities at various stages;

- supplies a tool for comparing schools;
- targets resources more specifically at pupils who need support, using a fair and transparent measure;
- operates to support schools in their identification and provision for special educational needs and allows for greater accountability from the school in meeting pupil's needs;
- allows the authority to be more specific in its monitoring role in relation to special needs, and could be taken into account in the deployment of the special needs support services;
- answers the growing pressure for greater numbers of pupils to be issued with statements by aiming to ensure that those with significant needs have them recognised and met within their mainstream setting.

One LEA officer felt that, *'the audit route is something that the Code has accentuated'* as it describes a staged model of the type used in an audit. One of the difficulties for audit-using authorities was, therefore, that the stages of the Code and of the audit were becoming confused. Concerns have been expressed in the literature that differences between the stages of the Code and audit mean that it may become the audit rather than the Code that drives practice (for example, Bowers, 1996). This was borne out to some extent by the views of schools and LEA personnel interviewed who believed that the majority of changes in practice had occurred as a result of the audit to a greater extent than as a result of the Code. Recording and providing evidence are necessary for both and yet it is the audit from which schools see benefits in terms of resources. It is therefore not surprising that greater emphasis is given to the latter. There are, of course, professional concerns, whereby, for example, allocating funds to schools through an audit system can appear to reward schools for not being effective in supporting children with special educational needs.

One authority which had piloted an audit, had not decided whether or not it would be used to allocate funds. It was felt to be of great use as it stood, in obtaining information on the numbers of pupils at various stages.

5.6 Additional costs of implementing the Code

5.6.1 Staffing costs

Carrying out the statementing process and attending annual reviews were reported to have put a heavy strain on LEA staff, especially in those LEAs where the Code had led to increases in requests for statutory assessment. The

Code's prescribed six-month timescale for completing the process of statutory assessment also increased the workload of LEAs, particularly in those which had a backlog of statements to clear. Many LEAs were forced to appoint more administrative staff, at least in the short term. Effects of the Code could also be felt by existing staff whose workload had increased dramatically and LEAs faced additional costs of upgrading existing staff who were dealing with more complicated work.

In many LEAs, the number of support service staff had also grown and in Table 5.1 it can be seen that LEA respondents to the questionnaire revealed the following areas of staff increases to support special educational needs since September 1994:

Table 5.1 Staff increases since Sept 1994

Staffing area	No. of LEAs
Educational psychology service	29
Administrative staff	27
LEA special educational needs officers	25
Support services	13
Inspectors	4
Parent liaison officers	4
Education welfare officers	2

Based on 55 LEAs

Whilst most LEAs identified particular changes that had been made, only 37 LEAs stated that they had actually increased their staffing levels overall. Increases mentioned in one area could have been offset by decreases elsewhere.

All of the LEAs interviewed had made some changes to their staffing since September 1994 although not all could state categorically that this was as a result of the Code. The Code had made special needs a priority for many authorities and had been instrumental in procuring the funding for increases that had long been recognised as necessary.

5.6.2 One-off funding

In addition to the complex interplay of factors discussed above, three of the case study LEAs reported allocating lump sums of money to schools specifically for the Code of Practice. The most comprehensive account of

increased resources came from an authority which had freed up £2 million to support directly the implementation of the Code of Practice in 1995. This was put to a variety of uses, including half a day's release per week for SENCOs, to be continued beyond the first year, and increases in staffing of the educational psychology service and the educational welfare service. The latter was increased in order that all statements could be hand-delivered, thereby giving an opportunity for discussions with parents. In one authority, money was given to schools to help with the implementation of the Code and a further sum of money to assist with the audit. A second authority gave each school £2000 for training for the Code. In neither case was the use of such money monitored in any way by the LEAs and LEA interviewees were not convinced that it had always been used for the designated purposes (see Chapter 6).

5.7 The allocation of resources in schools

The OFSTED report on the implementation of the Code of Practice noted that the *'weakest parts of all special educational needs policies are those relating to the allocation of resources and how the governing body evaluates the success of the education which is provided at the school for pupils with SEN'* (OFSTED, 1996, p.17). The case study schools proved no exceptions to this statement.

Of the special needs policies made available to the research team, fewer than half made reference in any significant way to the allocation of resources within the school. Although such information may well have been detailed in other sources of school documentation, the policy of only one school stood out as being comprehensive in its coverage of resource allocation from the LEA and details are given below.

Example

This school set out exactly how much it received from various sources and provided a statement of what was funded from each of these budget sections. This school was one of only 13 in its authority which had all its resources for special educational needs delegated under a special initiative designed to explore a different method of funding children with statements in mainstream schools. One of the underpinning principles of this strategy was that the staged approach was not to be regarded as a series of hurdles to an inevitable statement but as a better tool for ensuring effective resourcing for children with special educational needs.

In the majority of other policies where resourcing was mentioned, it was generally in terms of the number of staff employed for special educational needs, including the number of hours of support staff available and the amount of non-contact time for the SENCO. In few cases was there an explanation of the budget head out of which this staffing was resourced, the LEA criteria for allocating such monies or any mention of criteria by which staff time was allocated.

One school, in outlining its deployment of staffing resources for the support of pupils with special educational needs, favoured: *'Smaller class sizes for pupils with learning difficulties to provide a lower pupil-teacher ratio and thus enable improved teacher support'*.

The brevity and omission of information in the policies available to the project meant that in many cases the policies of schools in one authority were virtually indistinguishable from those in another where resourcing mechanisms were known to be different. Given this, it is unlikely that school governors will find them useful documents upon which to assess the effectiveness of special educational provision. The impression given by many of the policies reflects the view of one LEA inspector for special needs that *'many schools prepared them [policies] just because they had to, but they are not used strategically'*.

When the LEA personnel were asked about the main issues for schools in relation to the Code, a commonly encountered view was that the extent to which governors, SENCOs and headteachers understood the allocation of resources for their schools was likely to be variable. It was also widely felt that governors would be unlikely to know about, and thus be able to demonstrate an ability to meet, their full responsibilities with respect to the allocation and monitoring of resources. This is explored further in Chapter 6.

School-based interviews revealed that the majority of SENCOs did know how resources were allocated and, in many cases, they were responsible for targeting them within the school, sometimes in conjunction with the headteacher.

Where schools were allocated resources from the LEA according to an audit of pupils with special educational needs, those SENCOs and headteachers interviewed felt that the audit had:

- provided a *'more logical and planned way of getting resources'*;
- allowed schools to identify, often for the first time, exactly how much money they received and spent on special educational needs;

- provided them with the opportunity to use staff flexibly;
- ensured that money was allocated '*according to need*'.

In most of the schools surveyed, the special needs budget, however it came to be allocated, was spent on staffing (including learning support assistants), a proportion of the SENCO's salary, and arrangements to allow for SENCOs and class or subject teachers to have non-contact time and teaching resources. The major budget expenditure was essentially salary-based. Most issues, surrounding the effective use of resources are, therefore, related to the effective deployment of staff (see Lee and Henkhuzens, 1996).

Irrespective of the way in which resources were allocated to schools from the LEA, most of those interviewed in schools claimed to be using more money than that given under the special needs budget. This finding has been reported elsewhere; for example, in a survey of 1,100 schools undertaken by the National Confederation of Parent-Teacher Associations, 60 per cent had found it difficult to meet the requirements of the Code within their budgets (Whitehead, 1996). The NFER research found that schools were '*topping up*' their special needs budget with money from other budgets, as in one primary school which was using the supply teacher contingency budget to employ an additional class teacher in order that the SENCO (also the deputy head) could be non-class based. The theory was that where they would normally require a supply teacher, the SENCO would teach the class, and use this as an opportunity to monitor progress. Other schools bought in supply cover as required in order to release the SENCO from teaching commitments when the audit was taking place or when annual reviews were due. As highlighted in Chapter 3, the majority of secondary schools in the study were investigating ways of delegating duties brought about by the Code, and these initiatives often incurred additional remuneration. One primary school used part of its IT budget to buy laptop computers primarily for dyspraxic pupils although other pupils would benefit from the available equipment.

Generally, it appeared to be accepted wisdom that the resources available through the special needs budget did not cover '*actual costs*' and that a certain level of topping up by the school had been necessary. Common practice amongst most of the schools visited was the regular use of parents and volunteers as classroom helpers.

Being wedded to the view that '*funding is never enough*', some interviewees felt that an acknowledgement by government that the Code was not in fact '*cost neutral*' would have helped to lessen the resentment commonly expressed regarding the demands on staff time to implement it. However,

many positive comments were made in relation to the Code and its effect on the resourcing of special needs. Potential benefits of the Code were reported to be:

- an increased profile for special educational needs in schools which would encourage funding levels to be maintained;
- a definite and discrete budget heading for special needs instead of a nominal sum;
- the development of more order into the system;
- more accountability concerning the allocation and use of resources.

Despite claims that the Code, often in conjunction with an audit, had helped bring clarity to the resourcing of special needs, schools that claimed to have adopted a '*whole-school*' approach to special educational needs often reported that it was difficult to be precise over expenditure because special needs provision was vested in the numerous initiatives taking place which included smaller classes, homework clubs, and reading clinics. This was more evident in the secondary schools visited than in primary. In the next chapter, the difficulties associated with the monitoring and tracking of resources are explored further.

5.8 The effectiveness of practices and procedures

Funding remained the key issue for special educational needs provision, not only in relation to the cost of the processes outlined in the Code, which were evidently not '*cost neutral*', but also in relation to the effective use of resources which were, increasingly, delegated to schools under LMS. Concerns continued over the extent to which schools used the monies allocated for special educational needs for that purpose (see Lunt and Evans, 1994), especially when the monitoring of its use was generally ineffective (see Peter, 1994). The Code had given the schools increased accountability and yet the skills required to judge value for money and effectiveness of provision were lacking in this respect (Evans and Bentley, 1995).

Recent changes in resource allocation were attributable, at least in part, to the Code of Practice. In most authorities the Code had been a catalyst for making changes that had been planned, or at least recognised as necessary, for some time and in others had reinforced the principles and practices of changes made prior to the Code.

5.9 Summary points

- ◆ The Government's claim that the Code was '*cost neutral*' was, as expected, not found to be the case in any LEAs or schools visited. An acknowledgement that it would require considerable expenditure would have been welcomed.
- ◆ Whilst the Code of Practice provided the impetus for the use of an audit of need in some LEAs, many schools attributed any changes in practice and resourcing to those procedures that were linked to funding rather than directly to the Code.
- ◆ Schools tended to prefer the flexible use of resources resulting from delegation of statemented and non-statemented funds although such flexibility often made the tracking of such resources difficult.
- ◆ In most schools the expenditure on special educational needs was over and above that allocated by the LEA.
- ◆ Although LEAs were involved in monitoring the application of resources for pupils with statements, the use of funds for those without statements went largely unchecked.
- ◆ The stages and practices outlined by the Code were often confused and even replaced by those required for the audit.
- ◆ Schools' special needs policies were rarely clear in outlining resource allocation or methods by which use of resources would be monitored.
- ◆ Governors with responsibility for special needs were not fully aware of the way in which resources were allocated within the school and therefore not in a position to monitor the effectiveness of their use.
- ◆ A need to reduce levels of statementing gave impetus to the changes in method of resource allocation.

CHAPTER 6

MONITORING AND EVALUATION

6.1 Introduction

The move towards increased delegation of resources for special educational needs offers greater flexibility for schools but has implications for LEAs and governors in terms of their monitoring role. As Fletcher-Campbell (1996) points out, the freedom of governing bodies to apply delegated funding more flexibly in their schools is circumscribed by their statutory duties under the Education Act 1993 and their obligation to have regard to the Code of Practice. As the interviews with governors in this study revealed, few were in a position to be able to judge the effectiveness of special needs provision in relation to the Code. In the act of delegation, schools may determine the most effective application of resources yet LEAs retain the duty to ensure that funding for special needs is being used appropriately. School and LEA interpretations of 'appropriateness' do not necessarily correspond. Further, this is happening at a time when, for some LEAs, their capacity to monitor has been reduced because of financial restrictions and/or contractual commitments to OFSTED. Whilst arrangements to monitor and evaluate progression at the individual pupil level may have improved, the tracking of resources for special educational needs and evaluation at policy level remained difficult issues for LEAs and schools to address. In this chapter, the responses made by LEA officers, school staff and governors are examined in turn, to illustrate the complexity of defining 'effectiveness' in meeting special educational needs.

6.2 At LEA level

A number of headteachers and SENCOs said they had been given no indication of how their LEA intended to monitor their effectiveness in this respect, other than via OFSTED reports. Interviews with officers in 21 LEAs, highlighted their concern about the ways in which systems of accountability could be developed without creating a *'further layer of inspection'* or generating additional pressure on schools which could easily become counter-productive. In the meantime, some tensions were beginning to emerge. For example, in the NFER study, as reported in the previous

chapter, those LEAs which had given schools help with the Code in the form of a lump sum of money, did so without any check on its use. The monies were not targeted and schools were not accountable. The LEAs were not sure that the money had been used for special needs. An interviewee from one of those LEAs, which had been reluctant to monitor the use of the money, knew that schools had bought classroom assistants who were not necessarily targeted at special educational needs and admitted that *'in our opinion, some schools misused it'*. Other LEAs felt that schools were using earmarked special needs money *'in an underhand way'* by for example, reducing class sizes. Without evidence to confirm that reduced class sizes were helping pupils with special needs, LEA inspectors concluded that this was not the most effective method of targeting support.

It was clear that the principles underpinning monitoring and evaluation were being debated at length and more than half (32) the authorities responding to the initial questionnaire considered that there would be difficulties in collecting information on schools' performance. LEAs had not developed systematic plans of monitoring but the mechanisms reported to be used included:

- moderation panels for requests for statutory assessment and for audits;
- advisory teams visiting schools;
- LEA inspectors visiting schools, including evaluation visits;
- attendance at annual reviews;
- OFSTED inspections.

Although these ways of tracking resources may be possible in small authorities, large authorities, especially those with several divisions, may well require more formal methods. Five monitoring bodies were identified by Eric Forth, (then) Junior Minister at the DFEE: OFSTED, the special needs Tribunal, LEAs, governors and parents, but the extent to which these offer effective controls on quality is questioned by some (for example, Peter, 1994). Others believe that the Code, along with OFSTED, will mean that schools have to identify specific spending on special educational needs to justify their allocation of resources (Hornby, 1995).

The danger of placing too much emphasis on any one performance indicator was raised, as was the need to guard against limiting resources because a school was seen to be *'doing well'*. One SENCO described the audit arrangements in her authority as a *'failure model'*. She felt that, *'the better you do with a child, the less money you get!'* Conversely, there was concern

about the possibility of schools competing fiercely for limited, centrally-held resources. One adviser referred to the *'potential nightmare scenario'* of schools accelerating pupils to stage 4 in order to benefit financially and, where funding was linked to the different stages of the Code, officers recognised the danger of developing an auditing system that appeared to reward schools for not being effective in supporting pupils with special educational needs and generating a stepping-stone approach leading to the *'dowry'* of the statement (see Chapter 5).

Of significant importance to statementing procedures was the concept of equality of provision within and across schools and the implementation of criteria for assessment, together with moderating panels, attempted to add some degree of uniformity to the system. As the findings reported in Chapter 2 showed, teachers were well aware of the anomalies that existed amongst schools even within the same authority and recognised that the judgements they made about levels of need were grounded clearly within the context of their own school. Some interviewees expressed a need for national criteria in order for equality of provision to exist across all LEAs.

Those LEAs using audits of special educational needs had moderation panels to ensure the appropriateness of audit submissions. Moderation sometimes included the random checking of a school's entire submissions in addition to cross-school moderation for particular stages but, whilst this approach ensured some consistency in the placement of pupils at different stages, it did not always track the use of resources that followed. Moderating groups which operated for referrals for statutory assessment did seek evidence of what schools had been providing at the school-based stages of the Code, but an officer in one LEA questioned the long-term effectiveness of such monitoring. He stated that once statements were written and were in schools *'nobody really knows what's happening'*, as there were no mechanisms in place to ensure that resources were targeted at identified pupils. The system was described as *'relying on trust'*. LEAs varied in the extent to which they were developing systems for future tracking of resources. For one, this was reported to be an area in which *'the LEA haven't done a lot of considered thinking'* whereas another was *'looking very hard'* at the most comprehensive methods.

LEA respondents to the questionnaire were asked to indicate the evidence they would be using for monitoring schools' performance in implementing the Code of Practice. Table 6.1 shows their responses.

Table 6.1 Evidence used by LEAs in monitoring schools' implementation of the Code of Practice

Evidence	No. of LEAs
School policy documents	52
Annual review records	51
School development plans	44
Individual pupil records	44
Deployment of staff/resources	42
School curriculum documents	31
Special needs audit data	21
LEA inspection data	4
OFSTED reports	4
Other data	7
No response	1

Based on 55 LEAs

Few LEAs identified particular performance indicators which might be used to measure the impact of the Code across the authority. Those which did respond, mentioned one or more of the following:

- time schedules for statutory assessment being met;
- time schedules for annual reviews being met;
- uptake of INSET by teachers and governors;
- the percentage of schools identifying special needs in their development plans;
- feedback from educational psychologists and support services;
- number of pupils with statements in mainstream schools.

It was stressed that the preferred approach was to negotiate with schools on how to monitor in a way which was non-threatening so, for example, LEAs might opt to incorporate monitoring of special needs provision into general advice and inspection visits, thereby confirming its place within the whole-school context. Whilst the gentle approach was desirable, it was thought important to ensure rigour especially since, as noted earlier, not all schools were using special needs funding appropriately. There was a need therefore

to strike a balance between the light touch and the heavy approach. From the schools' point of view, where such evaluation visits were common practice, they were seen to work well and were described as 'thorough' and 'useful', although one headteacher voiced the reservation that sometimes the financial aspects were clouded by the vested interest that the LEA had: *'there are occasions where the LEA seeks to reduce support and this may well be linked to the LEA's requirement to share out the cake.'* Another headteacher described how the LEA's monitoring group 'descended' on schools if they did not agree with the SENCO's assessment of needs.

Nonetheless, headteachers generally accepted the predicament that their LEA faced in controlling the purse strings and agreed that authorities had no alternative but to take such measures to limit levels of spending. *'The Code of Practice has helped to bring order to what was a free-for-all.'* Class teachers were often less sympathetic and voiced their frustrations accordingly. From their standpoint, it appeared that, despite moving up a gear in their efforts to collect indisputable evidence, the goal posts had been moved and the ultimate reward of additional support was as difficult to achieve as ever.

Some officers described systematic monitoring of the quality of written information about pupils at stages 1-3 and their intention to make explicit to schools the need to substantiate written evidence. In one authority, schools had to submit their IEPs as evidence of how they used resources. This strategy has been described in the literature as offering a measure of accountability through giving evidence to a wider audience as to whether or not schools have met objectives (for example, Loxley and Bines, 1995). Various panels of professionals had been established to develop a consistent approach to assessment and the outcomes of assessment. One of the case study LEAs invited headteachers and SENCOs to join the moderation panel for fixed periods in the cycle of review as part of their professional development. One of the primary SENCOs interviewed described this experience as the most effective special needs INSET she had ever encountered:

You work alongside one of the advisers and go together through anonymous forms and evidence to see the levels that other teachers are arriving at. The discussion groups were so interesting. It makes you look at the whole thing much more objectively, in a more focused way. After this training, I was given these audit packs which schools had submitted and I went through them all. It surprised me how little some schools seemed to understand in terms of what was expected of them, and the quality of what we should be doing. Afterwards, you get feedback on what you've done, and you might be told that of those you moderated, all were passed at the levels you recommended. It certainly helped our practice.

In other authorities, however, schools were aware only that a moderation panel met from time to time, presumably composed of officers, advisers and educational psychologists, and that decisions about pupils' needs just came from 'on high'.

In terms of reviewing overall policies and producing documentation for schools, great importance was attached to the consultation process and schools themselves played an important role in evaluating new initiatives. Some headteachers mentioned the contributions they had made to consultative groups and, in general, staff felt that there had been opportunities for them to voice their opinions to the policy makers.

6.3 In schools

One of the major impacts of the Code of Practice is that it has placed a greater emphasis on the importance of monitoring and evaluation of provision in schools. As one headteacher explained, '*it has provided that accountable, thorough edge*'. This view was reinforced by another senior manager who felt that the Code had tightened everything up and made the provision more structured, open and accountable. It was no longer SENCOs doing their '*own thing*'. At the same time, many governors and senior managers recognised the enormity of the task of monitoring all pupils with special educational needs, the responsibility for which often fell squarely on the shoulders of the SENCO. This was one of the reasons why headteachers preferred their SENCOs to be senior personnel, with the status to influence colleagues.

Despite numerous claims that the Code of Practice is all about making the most efficient use of resources, it would appear that schools were finding it difficult to monitor this. LEAs had offered little or no guidance on this matter and, as a result, the extent to which it was happening was variable. It was noted that in addressing under-achievement, schools had moved into a climate where more formalised assessment (in addition to end of key stage tests) was becoming the norm and this was providing a quantitative measure of pupil progress and the effectiveness of special provision. In those schools where IEPs were being systematically used, attention was beginning to focus on the number of targets being met and in a few cases (where additional resources were not linked to stages of the Code) schools interpreted success by the extent to which pupils moved down the stages. As one SENCO explained:

All pupils are assessed when they come in at Y7. About seventy or eighty pupils will be picked up by the special needs department at stage 2. There

will be ongoing assessment and by Y8 the numbers on the register will be reduced to about thirty. By the end of Y8 we aim to have the numbers on stages 2 and 3 down to about fifteen and by Y10 this should be nearer to ten. Most stage 1s are there because really, they are moving off the register but are just being monitored. We feel we are quite successful in boosting children's learning.

In some primary schools, supply cover was bought in to enable the SENCO to meet once a term with all class teachers for purposes of monitoring and evaluation. This was felt to be a very effective but expensive strategy. Elsewhere, the cycle of termly or annual reviews became the main opportunity for evaluating the success of provision for individual pupils. In terms of wider involvement, some secondary schools had set up steering groups (which did not always involve governors), whereas in primary schools discussions tended to involve the whole staff. One junior school bought in consultants from outside to inspect their provision at the same time as the LEA's monitoring visit. The two teams of inspectors worked together on that and, according to the headteacher, did a very thorough job.

The only grant maintained school included in the study regularly submitted information to the LEA audit, not because it was required to, but because staff felt it was a useful monitoring tool which helped to inform their practice. Other schools that were required to participate in auditing exercises were anxious to underline the considerable cost implications when considering the amount of time it took the SENCO to complete the paperwork. One secondary headteacher felt it was nothing short of 'ludicrous' to sacrifice several weeks of a teacher's time on this kind of activity in a school where most things were already in place. On the whole though, schools acknowledged the value of the exercise in terms of a monitoring tool and considered the feedback they received to be helpful in evaluation terms.

In-service training was mentioned as being an important opportunity for SENCOs and teachers to self-evaluate and several of those interviewed described feeling reassured after attending courses or support group meetings. One headteacher mentioned that her LEA had organised a training course aimed specifically at examining ways in which schools might monitor and evaluate their special needs policy and provision.

6.4 The role of governors

As one LEA interviewee pointed out, governors are the *'pivotal figures'* according to the Code. This section examines the extent to which governors were in a position to be evaluative and objective, against a background (described earlier) in which governors could rarely detail the allocation of funds to schools.

Governors tended not to monitor provision by observing it in action. Apart from lack of time, several mentioned their acute awareness of the dangers of crossing the line between support and intrusion. The two exceptions to this were the school in which the special needs governor met with the SENCO twice a week and went into classrooms to see the children working, and the case where the special needs governor had subsequently been employed at the school as a learning support assistant. According to the headteacher: *'There couldn't be closer monitoring by governors than that!'* This view, however, was not shared by another headteacher whose special needs governor also worked as a learning support assistant. In his opinion, she had a good overview of the situation but, without proper training, any meaningful monitoring by governors would be impossible.

A common strategy was to establish a special needs working group or sub-committee for the purpose of monitoring provision and ensuring that the policy was being implemented. One secondary headteacher believed that this special needs working group was the best example in the school of staff and governors working together effectively. Two of the governors involved were parents of children with statements and a third worked in the field of special needs so there was a real commonality of purpose and a sound base of knowledge and experience. In the same authority, a primary headteacher explained that a group of four or five governors met each term to receive a report from either himself or the SENCO, to update them on the current state of affairs.

One special needs governor of a secondary school adopted a more proactive role and saw it as her responsibility to liaise with the LEA on matters relating to special needs, such as clarifying issues and applying pressure for extra support if necessary. One method she used to monitor provision was to take a small sample of statements and track the progression of and provision made for the pupils concerned over a period of time. Another made a point of attending parents' evenings.

A more likely response was for governors to interpret their monitoring responsibilities entirely in terms of financial accountability, the determining factor being that salary costs matched or exceeded income attached to statements and/or the audit. This measure was applied even if they did not always fully understand the basis upon which their school was funded. *'We don't get a lot of information about the funding of special needs. I don't think we know where the money actually comes from or how it is allocated.'*

Another governor illustrated just how little awareness and involvement there could be.

We do not discuss money, to be truthful. That is basically left to the SENCO because it is her responsibility to allocate provision. If anything, it amazes me that there are as many support hours as there are. I think it's managed very well. So really, we know it's managed well and we let her get on with it.

In general, unless governors with responsibility for special educational needs had a professional or personal interest in the field, they were at a loss when it came to monitoring and evaluation. Typically, they relied on their trust in the SENCO to do what had to be done: *'You have to trust them, they are the professionals.'*

Where governors relied on staff to report the information, the value of the exercise depended on the level of awareness or curiosity that governors brought with them to the meeting. Despite their obvious commitment, without this, the monitoring role could become a passive one and with the absence of clear success criteria in the special needs policy, governors were left totally without a yardstick. A number of those interviewed said they would welcome advice in this respect and although LEAs had provided a range of courses for governors when the Code of Practice was first introduced, several wished there were more opportunities of getting together with others to share ideas and practice (see Chapter 4). One interviewee suggested that inter-authority governor training sessions might be worthwhile. It is interesting to note that whilst schools have followed the Code almost to the letter in most other respects, the legal requirement it places on governors to monitor has been largely overlooked (OFSTED, 1996.) Without appropriate skills and knowledge, the contribution that governors make will always be a cautious one but without success criteria it is difficult to imagine how they could even begin to monitor in any meaningful way (Evans and Bentley, 1995; Bill, 1995).

6.5 Effectiveness of monitoring and evaluation

This chapter has looked at the ways in which special needs provision is monitored and evaluated and identified a number of layers as well as distinct areas of focus.

At the school level, governors have a responsibility, according to the Code, to report on the effectiveness of the school's work on behalf of children with special education needs. Whilst the governors in this study were supportive and interested in their school's provision, few were well-placed to evaluate practice and policy effectively because they were:

- unaware of their responsibilities in this respect;
- unable to spend time in school due to other commitments;
- unwilling to observe practice as this was seen to be intrusive;
- insufficiently informed about resourcing and procedural arrangements;
- unclear about what they were supposed to be measuring.

The most common response was for governors to place their trust in the SENCO to carry out all the relevant actions and in this respect, SENCOs were held in high esteem. Feedback from SENCOs ranged from weekly informal meetings to annual written reports. When it came to the monitoring of resources, more governors were aware of the need for financial accountability but most reported that the school's outlay on special needs provision exceeded any income they received and this in itself seemed to satisfy them that resources were effectively deployed.

Teachers and SENCOs felt that procedures built into the Code had helped them to monitor their pupils' progress more closely and generally welcomed the cycle of planning, teaching, assessment and review that the Code reinforced. Although there was a feeling amongst staff that the Code had '*tightened things up*' and made special educational needs provision more accountable, this had more to do with individual pupils than the policy as a whole.

With pupils, targets were set and reviewed at regular intervals; when it came to monitoring and evaluating the policy, however, staff and governors were unable to identify quantifiable performance indicators. In their haste to write their special needs policies in the time available, it would appear that this crucial feature has been overlooked and schools are beginning to realise they have published a policy which they cannot monitor or evaluate effectively.

From the LEA point of view, monitoring and evaluation can be directed at a number of levels. LEAs need to satisfy themselves that:

- delegated funding is not misused;
- centrally held funding is allocated appropriately;
- schools are following the requirement of the Code;
- individual pupils' needs are being met effectively;
- there is a coherent and coordinated response across the authority.

The view held in schools was that LEAs were not monitoring all of the above although the need for it was acknowledged.

LEA officers themselves held this issue high on their agenda and it was clear that there had been much debate. The priority, it seemed, was to establish measures to monitor the use of funding and this appears to have taken precedence. Audits and moderation panels were regarded by LEAs and schools alike as useful tools in monitoring provision, especially where evidence was required in some depth. Despite LEA officers' concerns about '*inspecting*' provision at first hand, where this was conducted (often as part of a broader evaluation visit), it was accepted as a worthwhile exercise by schools and once much of the paperwork was in place, schools were in a better position to give evidence of their practice.

When it came to describing arrangements for monitoring and evaluating policy and practice across the authority as a whole, LEAs were less well equipped. It would appear that, like schools, LEAs were focusing their efforts to monitor and evaluate at the micro-level and needed to turn now to the wider issues in order to develop and help to improve special needs provision across the authority as a whole, so that schools and governors could learn from one another.

6.6 Summary points

- ◆ **LEAs were anxious to establish effective monitoring of school-based provision but wanted to avoid imposing a further layer of inspection.**
- ◆ **Headteachers welcomed such moves and generally empathised with the need to keep central budgets under control. Monitoring was seen as a way of ensuring a fairer distribution of resources.**
- ◆ **In monitoring and evaluating provision across the authority, performance indicators were less well established but the involvement of schools in consultation exercises was a widely-used strategy in special needs policy formulation.**
- ◆ **Audit arrangements and moderation panels could provide a valuable means of professional development and feedback for teachers but many complained they were too time-consuming.**
- ◆ **At pupil level, the Code had sharpened practice and improved the way in which progression was monitored and evaluated.**
- ◆ **Governors were hesitant when it came to monitoring their school's special educational needs policy and tended to rely upon verbal or written assurances from the SENCO. Many had a limited understanding of resource allocation and no clear success criteria with which to measure effectiveness.**

CHAPTER 7

INTER-AGENCY LIAISON

7.1 Introduction

The importance of multi-agency liaison has long been recognised. Although services for children are administratively divided into social, education and health services, in practice there are interrelationships between the various aspects of children's development so that educational progress is affected by and can affect social development and health well-being. In recognition of this, the Education Act 1981 formalised the findings of the Warnock report (Warnock Report, 1978) in stating the importance of close working relationships between the services, and the Children Act 1989 (GB. STATUTES, 1989) reinforced the need for collaboration in relation to the protection of children from abuse.

More recently, the Education Act 1993 placed duties on LEAs, health authorities and social services departments to cooperate in the provision of services for children with special needs. The Code of Practice consolidated this legislation and clarified the roles of the agencies in the identification and assessment of these pupils. The agencies must not only have regard to what the Code says in relation to their own individual responsibilities but also in relation to the principle of partnership that the Code set out whereby *'there must be close cooperation between all the agencies concerned and a multi-disciplinary approach to the resolution of issues'* (para 1.3).

This chapter looks at the views of personnel from the health authorities, social services departments, local education authorities, schools and careers services interviewed in relation to the concept and practice of joint working. Parent partnership is given emphasis throughout the Code and details of school level partnerships are referred to in Chapter 2. Since the Code is essentially an education department document, the LEA perspective will set the scene, outlining the training and working groups that have been initiated to promote the aims of the Code and looking at LEAs' perceptions of the impact that the Code has had on other agencies.

There is some evidence that successful collaboration between the agencies is difficult to achieve (see Maychell and Bradley, 1991) but obstacles have to be identified and overcome in order that professionals can work effectively together. The opinions of health authority, social service department and

careers service interviewees in the five LEA areas will therefore be examined in relation to changes in practice and sources of conflict which may prevent effective collaboration with the LEA.

The extent to which schools experienced any change in relationship and service from the various agencies as a result of the recommendations of the Code will be examined.

7.2 The LEA perspective

The LEA personnel interviewed were asked to explain the links between their LEA and other agencies involved with children with special needs. They were asked to place particular emphasis on the changes in practice and relationships since the Code was introduced, highlighting any factors which they perceived as militating against effective collaboration.

7.2.1 Views on the impact of the Code on joint working

Irrespective of the perceived effectiveness of inter-agency collaboration, LEA interviewees had mixed views on the impact of the Code on promoting multi-agency working. For example, interviewees from two LEAs did not think that the Code had helped relationships or clarified roles since, according to one Assistant Director, it had *'thrown up issues of inter-agency working but has given no pointers as to how it could be achieved'*.

In contrast, two other LEA interviewees were very positive about the Code's impact in this respect. In one authority where the inter-agency work was described as being its *'weakest area'*, one interviewee stated that the Code was *'directly responsible for the rapid development of improved links and communication'*. In another LEA, the Code was reported to have made people think about their problems and promoted a genuine attempt at collaboration whereby, *'rather than back into a corner and hope that it will go away, they have said "let's tackle it early and see if we can work together and get others involved".'*

7.2.2 Training offered to other agencies

Four of the five case study education departments interviewed offered training of some kind to other agencies on the Code. Two of those four offered what were described as *'briefing sessions'*, and one gave specifically targeted training to colleagues in the health authority and social services department. This agency-specific training covered report writing and factors that would help the respective agencies to meet the requirements of the Code.

7.2.3 Initiatives for joint working

In expanding on the requirements for collaboration as described in the Children Act and the Education Act 1993, the Code explains that:

In order to achieve full collaboration at both school and local authority level, representatives of LEAs, social services departments and health services may choose to meet on a reasonably regular basis to plan and coordinate activity (para 2.40).

All five case study authorities had chosen to organise regular multi-agency meetings to discuss strategic and/or operational issues. The arrangements varied according to local circumstances but included discussion groups looking at assessment decisions, joint funding of out-of-authority placements and provision of speech and language therapy. Examples of a commitment to full collaboration included:

- A special educational needs liaison officer employed by the LEA who was responsible for '*bridging the gaps*' between the services. This was the LEA that reported good working relationships with the other agencies.
- An LEA-organised '*Working Together Day*' in order that personnel from the health authority, social services department, education welfare service, the LEA special educational needs team and headteachers could discuss young people in need with a view to giving an understanding of each others' perspectives on this issue.
- Employment by a social services department of teachers in an education support service. The aim of this service was to ensure that children known to social services were receiving the education to which they were entitled. The service invested a lot of time in schools, and had recently been involved in school-based initiatives to improve the relationship between schools and social workers. This authority also had a named person in each social services area office who had responsibility for developments resulting from the Code and for linking with all schools in the area.

LEAs had already experienced some positive effects of improved relations since the Code, as described below.

- LEAs reported closer working relationships with paediatricians since the Code. In one of these authorities they had noticed observable improvements in the relationship with health, exemplified by an increase in the number of requests for statements from medical professionals for children under the age of five, demonstrating a commitment to the Code.

- Better relations had been experienced by another authority where an LEA representative was invited to the social services' Children's Panel as a result of the Code.
- Senior level talks on developing a '*service for children*' rather than three separate agencies were being held in one authority. The LEA interviewee reported that '*the Code has pushed us into single service talks*' which the LEA had been keen to encourage.

Links between the careers service and the LEAs, health authorities and social services were only referred to in terms of transition planning although in two of the authorities, LEAs indicated that careers services staff worked and liaised directly with schools where the reviews took place rather than with colleagues in other agencies.

7.2.4 Perceived sources of conflict

In theory, joint working was accepted as good practice by all LEA interviewees. However, interviewees from four of the five LEAs reported practical difficulties in achieving this goal with health authorities and social services departments. The most common sources of conflict were centred around who should pay for speech and language therapy and for out-of-authority places in special schools. LEA personnel also described difficulties in a number of other areas:

- obtaining information from the other agencies;
- the quality of reports from medical staff;
- slow response to the Code by health authorities and social services;
- differing agendas and perspectives of these agencies.

All of the LEAs reported having good relations with their careers services, although responsibility for transition planning emerged as an issue to be resolved (see Chapter 2).

Dyer (1995) has pointed out that '*the Code fails to address adequately the issue of speech therapy*' (p.50) and this statement was certainly borne out in relation to financial responsibility for the therapy. In four of the five authorities, interviewees reported disputes over whether the health authority or the LEA should pay for this provision. The one authority which had joint planning and resourcing of speech and language therapy reported that the education members did not wish to pay for what they saw as health authority provision. Only one LEA had really attempted to resolve the issue by buying the service from the health authority. Concerns over the relationship and

respective responsibilities of teachers and speech and language therapists abound in the research literature (see, for example, Lesser and Hassip, 1986; Jowett and Evans, 1996) and the situation cannot be helped by unresolved financial disputes.

Three of the five authorities reported difficulties with the quality of reports from doctors. Complaints were made by one interviewee that doctors '*would do little more than tick boxes*' and another interviewee did not believe that the health authority was fulfilling its responsibilities. The problems of obtaining doctors' reports which were useful had made it very difficult for one authority to meet the timescales for statutory assessment. A further worry was felt to be the considerable emphasis placed on doctors' evidence when cases went to the Tribunal, given the perceived inadequacy of doctors' input to the statutory assessment process.

The interviews with LEA staff revealed a number of difficulties in liaising with colleagues from social services departments. The head of one LEA support service predicted confusion for schools and social workers between the social services' disability register and the special educational needs register.

Other problems were related to the organisation within authorities. For example, one authority had a fairly common problem in that the social services area teams did not match geographically with the LEA areas or with those of the health authority (see Maychell and Bradley, 1991). The social services department also had a much larger number of small area teams which had undergone frequent reorganisations. As a result, it was not only difficult to establish partnerships with changing personnel but resourcing issues also emerged: the LEA regarded out-of-authority special school placements as an authority-wide issue and, therefore, had a larger resource base than social services who funded placements from the small area team budgets.

The problems described above in achieving full collaboration between the agencies represent the perceptions of LEA personnel interviewed. It must be remembered that in spite of, or perhaps because of such difficulties, numerous working groups, committees and planning meetings had been established in an attempt to overcome and understand the different perspectives. One LEA interviewee acknowledged the underlying problem in that,

it isn't that people are being difficult, it's just that in health and social services, the situation is so different that it's hard for them to tune in to what education is expecting from them.

7.3 Other agencies' perspectives

This section looks at health authority, social services department and careers service views on the Code, including the training received, changes in practice, inter-agency links and collaboration, and the difficulties faced in meeting the requirements of the Code.

7.3.1 Views on the impact of the Code on joint working

Interviewees from health, social services and the careers services in the case study authorities were united in the opinion that the Code of Practice presented an '*excellent system*' in principle. The clear guidance that the Code provides was generally welcomed and health authority interviewees in particular, were impressed by the way it '*shoves a bit of backbone into the system*' by giving structure and consistency. Interviewees from social services particularly welcomed the emphasis on collaboration with other agencies although one was concerned that the Code did not provide enough detail on how this should be achieved. Careers service interviewees were very positive about the impact that the Code would have on their work, and were very encouraged by the emphasis placed on multi-agency working and the importance of the 14+ transition review.

Only a small number of negative statements were made about the Code itself and each of those was made by social services department interviewees. Each point was made by only one interviewee but may have more general application. The Code's staged process was believed to be like a judgement giving '*a sense of failure*' to the parents as the child moves through the stages. Another felt that the Code wrongly places an emphasis on children's difficulties rather than the situations that they are in. This is an issue addressed in the Code itself where it states that:

Schools should not automatically assume that children's learning difficulties always result solely or even mainly from problems within the child. The school's practices can make a difference – for good or ill.

(para 2.19)

Children's domestic situations may also have an impact on learning difficulties since most aspects of their physical, cognitive, emotional and social development are related to each other and to their environment (see Davie, 1993) and it is for this reason that the Code emphasises the need for a multi-agency response to individual children's special needs.

7.3.2 Training received and knowledge of the Code

Interviews with health, social services and careers services personnel revealed that the extent of information received on the Code varied greatly between authorities. Health authorities, social services departments and careers services in four of the five authorities received training of some sort from their LEA, but in the fifth health authority an interviewee was left to find out about the Code '*by accident*'. This particular case may, however, have occurred as a result of poor communication within the health authority, for example between senior managers and their staff or between purchasers and providers.

The extent of the training offered by LEAs ranged from a '*roadshow*' intended to alert all agencies to the Code, through to ongoing training sessions, arranged on a regular basis to respond to the high turnover of social workers. In one authority a multi-agency group had been set up as a training group for the Code and this group was still in existence at the time of the NFER research.

With the exception of one social services department that had itself provided training at all levels, it was felt that generic social workers would have only a '*cursory knowledge*' of the Code as information had not yet filtered down to these grassroots workers. In one authority, where social workers could have attended any of ten training sessions, the interviewee believed that although they were aware of the Code they would not have understood about schools' responsibilities and the stages. It is unclear as to whether this was as a result of low take-up of training or the fact of these issues not being addressed in the training.

Where the LEA had offered training to health authority personnel, the health authority interviewees felt that they possessed a good awareness of the Code and were satisfied with the amount of information from, and contact with, the LEA. This, however, was the case in only two authorities. In the other three health authorities, one interviewee reported that health authority staff had received no training, another interviewee expressed a need for more information throughout the health authority and the third interviewee stated that the health authority had '*no need for training*' although therapists might have benefited from extra input.

Interviewees from only two careers services reported that they had been invited to LEA training on the Code, although careers advisers in all authorities had been made aware of the Code and its implications, if not by the LEA then from within their service. All but one of the careers service interviewees described internal training that had been offered to careers advisers on the Code, special educational needs and transition planning. Two careers services invited SENCOs to their training and this was reported

to have been highly valued by everyone involved. The careers services had also produced guidance for their staff and other individuals involved in the transition planning process. Examples of the guidance provided included:

- checklists of issues to cover at the review;
- information packs for pupils;
- group work or individual sessions for pupils to familiarise them with the 14+ review;
- parents' handbook.

7.3.3 Initiatives for joint working

There were no discrepancies between the accounts of LEAs and their careers service, health authority and social services colleagues over the inter-agency initiatives in place as outlined earlier in this chapter (7.2.3). An example of the whole range of initiatives operating in one authority can be seen in Table 7.1. The example was chosen because interviewees from all the agencies made positive comments about the structures in place for collaboration and a number of unique practices were described.

Table 7.1 Initiatives for inter-agency liaison in one authority

Training provided by LEA	Multi-agency links	Links between LEA and social services	Links between LEA and health authorities	Links between LEA and careers services
<ul style="list-style-type: none"> - Training targeted specifically at each agency. - <i>Working Together Day</i>. 	<ul style="list-style-type: none"> - Assessment & placement group - social services, health authority & LEA. - Senior management group for joint decision-making and funding packages of provision for pupils with extreme and multiple needs. - Joint funded data base of services for pupils with disabilities. - 16+ multi-agency meetings at senior management level. - Children and Families Committee. 	<ul style="list-style-type: none"> - Named person in each social services area office for developments regarding the Code and links with all schools in the area. - Close work with LEA in writing transition planning policies - Social Services Education Support Service: teachers employed by social services to ensure children dealt with by social services receive the education they are entitled to. 	<ul style="list-style-type: none"> - Increased contact on a regular basis at all levels. - Regular meetings to discuss strategic issues. 	<ul style="list-style-type: none"> - Joint planning to bring pupils back into the authority from out-of-authority special schools.

7.4 Sources of conflict as perceived by other agencies

As Norlin prescribes:

Like a successful marriage, a productive partnership requires a commitment to similar values and goals, mutual respect for differences in personal styles and a satisfactory process for resolving conflict and making decisions (Norlin, 1986 p.185).

Interviewees outlined the strategies in place for resolving conflict between the agencies and for making joint decisions, and those from LEAs have illustrated the sources of conflict from an education perspective. This section looks at the issues facing non-education agencies that are perceived to hinder the productive partnership of the agencies involved with children with special needs. The issues relate not only to the perceptions and values of the individuals concerned, although this aspect should not be underestimated, but also to the ethos and rules of the different agencies.

Interviewees from non-education agencies in all five of the case study authorities mentioned issues impeding effective collaboration. Many of the problems in the links were common to both health authorities and social services departments and these will be discussed before the agency-specific issues. Careers services have long-standing links with LEAs and therefore reported fewer problems in understanding and liaising with education although there remained outstanding issues to be resolved.

7.4.1 Differences in language and definition

The Code of Practice was written as guidance for the identification and assessment of special educational needs defined as '*a learning difficulty which calls for special educational provision to be made*' (para 2.1).

The introduction to the Code states that the text '*reflects extensive consultation with schools, LEAs, health services, social services and voluntary agencies*', yet one of the most fundamental sources of conflict for the interviewees in this study was that the three agencies had different views of a child with difficulties. Most of the work for health authorities and social services was not educational and they had very different definitions of a child in need (see Appendix 3).

Social services interviewees from each of the authorities explained that most of their work was with children in crisis or at risk and it was therefore these children who they considered as being in need and to whom they gave

priority. The Code is also being implemented in a climate of competing priorities in health authorities and one interviewee was concerned that *'education's agenda had been thrust upon us'* with education expecting them to *'tune in more easily than we can'* and not understanding that it is *'only one of 20 or more competing priorities'*.

According to two of the health authority interviewees, problems arose not only from different definitions of a child with needs but due to the language used in the Code. The amount of *'education jargon'* used in the Code was believed to result in health and education making different interpretations. One health authority interviewee reported that joint-agency meetings led by education were also conducted in this *'education speak'*.

7.4.2 Legislation and guidance

Four of the five social services department interviewees shared the view that the *'Children Act is social services' bible and the Code is education's.* Having two documents produced by the different government departments might therefore have reinforced the agency-specific practices that they were partly attempting to overcome. The view also suggests that interviewees had misunderstood the difference in status of the two documents: the Children Act is legislation but the Code is only guidance. Despite the emphasis on collaboration in both documents, the Code and the Children Act were perceived to be telling the respective agencies *'to do different things and give different priorities'*. It seemed that the emphasis on child protection in the Children Act resulted in field social workers, in particular, having insufficient time to undertake preventative work in support of the Code. Whilst it was acknowledged that both documents promoted inter-agency working, interviewees in social services and health would have welcomed a document which made explicit any overlap between them.

Although all agencies must *'have regard'* to the Code, the priority accorded to it will not be the same for each. For example, the Code was seen as secondary to the Children Act by one social services interviewee and, since the health authorities did not have a comparable document, one interviewee felt that it was *'hard to expect them to go along with the Code and the Children Act'*. Part of the problem in achieving joint working is therefore that the guidance itself originates in different government departments so that there is no one coherent framework of how effective collaboration could be achieved.

7.4.3 Financing the Code

Recent evidence indicates that there has been considerable contraction in the resources of support agencies nationally (National Union of Teachers, 1993) and since additional resources were not made available for the Code, the decline in available provision may undermine its good intentions. Interviewees from health authorities, in particular, stressed that the Code had to be implemented at a time when major cuts were being made across their services. In addition, the Code was introduced at a particularly bad time, according to a purchaser from one health authority, because they were midway through their contractual year and had already allocated their budgets.

The most common cross-agency financial debate was over who would pay for what and, according to one LEA interviewee, all inter-agency conflicts revolved around this. As revealed by LEA interviewees (see section 7.2.4), the main issues were out-of-authority placements and speech and language therapy. The extent of the problem was revealed by two interviewees from health and from social services respectively, who described ongoing '*sparring*' between their services and education over payment for special school placements in out-of-authority schools. This was reported to be a '*really hard issue to resolve*' and was thought to '*block*' many potentially helpful collaborative talks.

The main concern in all five health authorities was, however, the responsibility for speech and language therapy. This issue is frequently referred to in the literature and detailed research has been conducted elsewhere (see for example, Jowett and Evans, 1996). The requirement on careers service staff to attend all 14+ annual reviews was reported to have burdened them with added financial pressures, particularly with regard to those in out-authority schools.

7.4.4 Exclusions

One of the essential tensions between education and social services in particular was the exclusion of pupils from schools. Interviewees from four of the five authorities were concerned about this issue, indicating that it fuelled social workers' views that education was '*not really bothered*' about these children. They could not understand how schools could turn away children with no alternative placements. One interviewee expressed a concern that the relations between social workers and teachers might in fact worsen due to the rising number of exclusions, the rationale for which social workers found very difficult. Rickford (1993) outlines a number of issues found to create tension between teachers and social workers which stem from a misunderstanding of the others' responsibilities and pressures.

7.4.5 Structures

The National Health Service introduced radical organisational changes into the commissioning and provision of child health services so that the health authorities were divided into purchasers and providers of health care. According to health service interviewees from each case study authority, the education department did not understand the purchaser-provider split and this was considered to be a major barrier to inter-agency collaboration. In alerting health authorities to the Code, LEAs tended to contact only one or other of the two parts. Whether or not this was on account of a lack of understanding of the division on the part of the LEA, or due to an incorrect assumption that the two parts would communicate with each other, was unclear.

The division within health authorities meant that, in one health authority, providers were believed, by the purchaser interviewed, to have only '*superficial knowledge of the Code and its impact on education*'. In one other authority, it was reported that '*doctors have yet to get to grips with the system*' and carried on regardless of the Code, not complying with requirements for making assessments.

A distinct confusion on all counts was evidenced in one authority where Appendix E (medical advice) forms were signed by a medical officer (provider) yet they were stating what the purchaser would agree to do. The form was drawn up by health and education and yet was perceived to be a '*nonsense*' by the health authority interviewee.

The confusion was not confined to health and education. One social services interviewee described how it was very difficult to know who to contact in the health authority. The social services department of one case study authority was also divided into purchasers and providers, adding further confusion.

7.4.6 Different priorities

The Guidance and Regulations on the Children Act state that '*a child's capacity to develop educationally will be directly affected by adverse home circumstances or unmet health needs*' (GB. Department of Health, 1992), thereby indicating the importance of collaboration between agencies as laid out in the Children Act and the Code. Whilst this was accepted in theory, interviewees revealed that conflicting priorities for their services might prevent joint working toward the Code.

Whilst education staff were dealing with about 20 per cent of the LEA school population in terms of pupils with special educational needs, the numbers of children dealt with by social services were much fewer, at around two per

cent. However, it was stressed by all social services interviewees that these few were 'at risk' with 'potentially enormous emotional disturbance'. In one authority where there was a 20 per cent increase in child protection cases in 1994-95 and again in 1995-96, social workers were said to be so inundated with child protection and emergency admissions that they did not have time to take on inter-agency work. In another authority the interviewee stated that they were unable to do preventative work for the same reason.

Given the emergency cases that social workers were reported to be dealing with, one interviewee explained that social workers found the statementing process 'too onerous' because 'the reasoned logic of the educational process with a sequence of events just doesn't apply in the social workers' world'. These social workers saw the Code as getting in the way of dealing with vulnerable children.

The overlap between a social services department and an LEA occurred where a child was 'in need' according to Section 17 of the Children Act and had special educational needs according to the Code. Looked-after children often fell into this category. For example, in one authority, 40 per cent of looked-after children had a statement of special educational needs and these children required the collaborative services of both social services and the education department (see Fletcher-Campbell, forthcoming).

The Code of Practice gives specific guidance for children under the age of five whereby the,

identification of a need will be from the health authority, social services or a parent. Such bodies should inform the LEA and collaborate to ensure a speedy response to the needs of the child (para 5.16).

Staff interviewed in four of the five health authorities were concerned that education did not automatically support the children that medical staff had identified early. Health interviewees stated that their emphasis was on early intervention but in their view education left a child to 'fail' before support was made available. Health professionals did not understand why education had to have evidence that the child could not cope before support was provided. Such views are symptomatic of the different theoretical mind sets and working practices sustained by the two agencies. For example, the health service has a strong diagnostic tradition whereas education places an emphasis on formative assessment (Maychell and Bradley 1991). Starr and Lacey (1996, p.58) explain in their article on multi-disciplinary assessment that 'teachers are most interested in the effects of each child's difficulties and disabilities on possible progress, and only have a passing interest in

disability origins or the results of norm-related tests'. In addition, health professionals' view of education in this respect is based on the stage at which they are asked for an input into a child's assessment. There is perhaps a lack of awareness on their part that, in following the stages of the Code, provision will already have been made for a child at school level before the advice of other agencies is sought.

LEAs and careers services were reported to work closely in all authorities, but two of the interviewees reported difficulties in obtaining the names of students who might need specialist careers support. In one case this was thought to be because the LEA special needs database was out of date or inaccurate and, in the other, there were no procedures in place to ensure that information was passed on. Good transfer of information was evident in one authority where copies of all statements were passed from the LEA to the careers service and in another where a liaison person was employed by the LEA.

7.4.7 Timing

The Code of Practice sets out a strict timescale for the completion of statutory assessment and, to facilitate this process, health authorities and social service departments are normally required to respond to requests for advice within six weeks. Given the number of positive statements about the Code, branding it an *'excellent system'* and an *'invaluable document'*, the agencies agreed that there was a need for the clarity and structure that the Code provides. However, in the present economic climate where budgets are tight and individual workloads ever increasing, the Code was felt by some non-education interviewees to place on them an *'added burden'* in working to what was seen as *'education's agenda'* in meeting the timescales and following the Code. There was evidently a long way to go before agency boundaries would be broken down and collaborative work viewed as part of an integrated service for children. Whilst combinations of the previously described sources of conflict affect the agencies' ability to meet the demands of timescales, specific issues were identified. For example, problems for health authorities in meeting the timescales were sometimes related to educational psychologists requesting assessments from clinics with long waiting lists, or parents not turning up for appointments.

The priority given to reacting to emergencies affected social workers' ability to observe the Code in all five authorities. For example, in one authority this rendered timescales *'meaningless'*. In another authority, time pressures meant that social workers could not attend all annual reviews and the most urgent cases had to be prioritised. In most authorities, social service

representatives would not attend all moderating groups and special educational needs panels as they were regarded as a waste of time when most discussions were about children unknown to them. For one social worker, *'there are so many education cases that social services aren't involved in, that it's sometimes quite a shock for education when a social worker appears.'*

Careers service interviewees felt that it was a *'waste of time'* attending 14+ reviews if people, including parents, children and other services, were not prepared for the meetings. In order to reduce this problem, one careers service had initiated group sessions for pupils to prepare them for their reviews and written guidance for parents in an attempt to make transition reviews as productive as possible. Another service had produced checklists of issues to be discussed so that all parties could think in advance about their input.

7.5 Links with schools

According to the Code of Practice, each health authority and social services department should have a designated officer with responsibility for coordinating special needs work between their agency, the LEA and schools (paras 2.41 and 2.53).

7.5.1 Social services

The Code is quite specific that the designated officer for social services should be made known to all schools in the area; that this officer should work with schools and LEAs on behalf of children with special needs; and that schools and LEAs should refer to this person for advice. At the time of the interviews, however, only one of the five case study authorities had designated social services officers with responsibility for links with schools and one interviewee reported that their authority was *'a very long way from this ideal'*.

In the four social services departments without designated officers, interviewees reported that the links were currently *'ad hoc'*, *'unsatisfactory'* and, in one case, dependent on the individual social worker and the openness of schools. In one of these authorities, family specialists would have contact with schools although this would generally be in response to a crisis rather than an on-going link.

The one authority with designated officers had an education support service which employed teachers and had set up a number of initiatives with schools. Training had been given to schools on the role of, and opportunities for links

with, social services; service level agreements had been drawn up; steering groups existed and partnership statements had been made by the LEA, social services, headteachers and the education welfare service. Much of this work was considered to be largely preventative and involved a *'balancing act'* for staff between this and their statutory duties.

Schools' perceptions of their authority's social services department varied from school to school rather than between authorities, reinforcing the view of social services interviewees that their link with schools was variable. Schools' reports of social services departments since the Code varied from *'still a problem'*, *'patchy support'*, and *'working closely with some'* to *'good'* and *'no changes because good links were always there'*.

7.5.2 Health authorities

Health authority interviewees revealed that community consultant paediatricians worked closely with schools, particularly special schools. One health authority had initiated a system whereby the paediatrician met with class teachers when pupils with special needs entered nursery schools but no other initiatives were described.

As with social services, schools' views of their health authorities were mixed and did not follow any pattern. One secondary school had experienced a reduction, not an improvement, in liaison, as a result of health authority budget cuts; this was echoed in an infant school in a different authority, where a lack of health authority staff had resulted in inadequate support. Schools in two authorities referred to problems arising from the relatively new system in which all referrals to health authority services had to be made by a General Practitioner rather than directly from the school.

Interviewees from eight schools commented on health authority links and half were generally positive statements indicating that they had *'quite good'* or *'good'* links with health service personnel. Negative comments included *'poor communication'*, *'more awareness of special educational needs in schools needed'* and *'medics struggling with the extra requirements'*.

7.5.3 Careers service

The nature of special needs careers work dictates that the careers service has direct links with pupils with special needs in mainstream schools and special schools. As a result of the Code, the LEA must invite the careers service to all annual reviews of children after their 14th birthday. This emphasis on transition planning had led two of the careers services to offer joint careers service and school training for SENCOs which was deemed to be very

beneficial in getting SENCOs and careers advisers working together. Relationships with schools were reported by all interviewees to have improved since the Code's emphasis on Y9 and Y10 work and careers advisers felt that schools had started to depend upon the careers service for transition planning.

There appeared to be a mutual dependency in one authority where the careers service interviewee stressed that their job would be '*impossible*' without the good relationship they enjoyed with schools. The value schools placed on the careers service in another authority was perceived to be divided, in that special schools '*welcomed them with open arms*' whereas mainstream schools were sometimes less receptive.

In most primary schools visited it was the role of the SENCO to liaise with other agencies regarding pupils with special needs, but in secondary schools this role was also within the remit of deputy heads with pastoral responsibility or heads of year groups; in some cases schools had designated staff for inter-agency liaison.

7.6 Effectiveness of inter-agency collaboration

It is generally acknowledged that interdisciplinary collaboration is essential in the effective identification and assessment of pupils with special educational needs (see Starr and Lacey, 1996). The Code of Practice emphasises the importance of schools establishing close inter-agency liaison, particularly with professionals from health authorities and social services departments. In 1991, research into multi-agency support for special needs identified 13 factors impeding effective joint working (Maychell and Bradley, 1991). A number of these factors were still evident in the current research into the effects of the Code: for example, differences in structure, language, priorities and time pressures. However, significant progress had been made in resolving some of the problems. For example, the Code itself had '*persuaded others of the need for inter-agency collaboration*' and as a result had provided the impetus for '*initiating links*' and '*identifying the right people with whom to form links*', strategies identified by Maychell and Bradley as crucial.

Professionals interviewed from all agencies accepted that the guidance on improved collaboration provided by the Code was necessary and based on good practice. Increased communication, through multi-agency working groups and committees, and an optimism about further collaboration was

reported to have emerged since the implementation of the Code. According to Steel (1991, p.106) this '*intention of making it happen*' is the first and most important step toward improving relationships. In addition, the increased communication stimulated by the Code should provide an environment in which possible solutions to the many difficulties could be discussed. Moreover, the very increase in collaboration could lead to the breaking down of many of these barriers.

Multi-professional work is labour-intensive and therefore expensive but the cost should not create another barrier to putting it into practice. Where an element of an initiative is expensive but necessary, there is a tendency to concentrate on the way in which this element can be most efficiently delivered. Furthermore, the fact that authorities are under financial pressure means that the need to collaborate is even greater as they attempt to get the best value for children with special needs from their limited budgets. The potential reduction in duplication, confusion and waste could eventually result in savings.

7.7 Summary points

- ◆ **Joint working was accepted as good practice by interviewees from all agencies although differences in policy and practice were frequently reported to hinder the establishment of fully effective collaboration.**
- ◆ **Health authority interviewees in particular welcomed and were impressed by the structure and consistency provided by the Code.**
- ◆ **Interviewees welcomed the emphasis on inter-agency collaboration but would have found it helpful to have clearer guidance on how this could be achieved.**
- ◆ **Careers service interviewees were encouraged by the emphasis placed on multi-agency working and transition planning as a result of the 14+ transition review.**
- ◆ **The training and information received on the Code by health and social services was variable and aimed mainly at senior level staff rather than grassroots workers.**

- ◆ **Careers services had produced their own guidance on the Code and its implications for transition planning and had implemented a number of interesting initiatives to encourage better links with schools, parents and other agencies.**
- ◆ **Interviewees from non-education agencies in all five authorities reported issues impeding effective collaboration, as follows:**
 - **differences in definition of 'need', and use of different language and terminology;**
 - **contrasting and contradictory legislation provided by the Children Act and the Code;**
 - **lack of understanding by social services of the rationale behind the increasing numbers of pupil exclusions;**
 - **lack of communication between purchasers and providers in health authorities and the lack of understanding by LEAs of this division;**
 - **different priorities and structures, particularly for social services for whom emergency work with children in crisis takes precedence over all else;**
 - **perception that the Code had added education's agenda to the burden of existing workloads.**
- ◆ **Schools' links with other agencies were patchy and not consistent with LEA policies and procedures to promote collaboration.**
- ◆ **Only one social services department had a designated officer with responsibility for links with schools. This authority had an education support service which was made up of teachers employed by the social services department.**
- ◆ **The Code had provided the impetus to increase inter-agency communication, through working groups and joint committees, providing an environment in which conflicts could be resolved.**

CHAPTER 8

DISCUSSION AND SUGGESTIONS FOR FUTURE PRACTICE

The Code of Practice was introduced in 1994 in order to regularise the diverse practice existing since the implementation of the Education Act 1981, in the identification and assessment of pupils with special needs. Now, two years later, it is possible to examine and comment upon some of the effects it has had on LEAs, other regional agencies and schools. In the early days of the implementation of the Code there was much commentary on its impact in those initial stages and speculation about some of the longer term influence it might have (as some of the books and articles referred to in previous chapters indicate). In this report the evidence collected and analysed makes it clear that some of those early predictions have been fulfilled whilst others have not. This final chapter draws together the findings reported and discussed in previous chapters and puts forward suggestions for future practice for LEAs and schools, based on the examples of good practice found across the country.

One of the key focuses of the project was to look at the changes brought about by the introduction of the Code, in terms of LEA provision and support, and the policy, practices and procedures used in schools. As was pointed out in Chapter 5, it is not always easy to isolate the changes caused by the Code from those produced by other factors. The analysis in the report has attempted to take account of the other events and influences which have interacted with the changes brought about by the Code, although the main thrust of the study has been to investigate the effects of the Code itself.

8.1 Practices and procedures

Setting up the register of pupils with special needs was a major task for many schools, with SENCOs keen to get it right. In some LEAs, the numbers of pupils at each stage, as listed on the register, formed the basis for an audit on which the LEA allocated funding, and teachers in those LEAs had a particular interest in ensuring that pupils were placed at the appropriate stage. This use of the register was related to some of the accountability issues discussed in Chapter 5.

The main use of the register, however, was as a monitoring tool and in all the schools visited it was felt that the register worked well as a means of identifying pupils, especially those who might otherwise have gone unsupported, and for monitoring their progress. In a few schools, where there was a high proportion of pupils with special needs, only those with the most urgent needs might be included on the register, and when their needs had been met to some extent, their place on the register might be taken by other pupils also requiring help. There were still some difficulties in deciding the stage the pupils should be on. The auditing process, in which teachers in some areas were involved, appeared to be helpful in this respect, probably because of the extent of guidance provided by LEAs and the use of moderation panels to agree on the placing of pupils.

Policy statements had been updated or revised in schools to take account of the Regulations referred to in the Code and, in some schools, the process of revision had acted as a valuable opportunity for teachers to come together and discuss the relevant issues, in order to agree the policy. This approach to the development of policies is something that primary schools have commonly used, especially in recent years, to carry out the revisions to policies and work schemes required by the introduction of the National Curriculum. By involving the whole staff in the process, all are able to discuss and reach an understanding of the issues, after which they are in a better position to implement the policy and take an active part in the procedures (such as the writing of IEPs). In secondary schools, this model was less common, given the large numbers of staff involved, although some had set up working parties to develop the special needs policy and to discuss IEPs.

The main omissions in the policy statements analysed by the research team were in terms of details of the allocation and use of resources, and in particular, explanations and criteria to demonstrate how the school intended to assess the effectiveness of its special needs policy (reflecting the findings reported by OFSTED, 1996). It was also clear from the interviews that governors, who have formal responsibility for both these areas, tended to delegate this responsibility to the school, in the persons of the headteacher and the SENCO. LEAs had, in most areas, been involved in guiding schools on the development of their policies but monitoring of the completed policies with a view to giving feedback to schools on any omissions, did not appear to be general practice, according to the available data.

This suggests that although schools have policies on special needs, as with policies for other areas of school life, their usefulness may lie principally in the development process for those who participated, and as a formal statement which meets official requirements, rather than as a living document

to which governors, staff, pupils and parents might refer, and as a basis to monitor and evaluate practice.

In terms of both the production and use of individual education plans, there was a clear division between primary and secondary practice. The systems for drawing up IEPs and using them were fully operational in primary schools but there was little evidence that such systems were in place in secondary schools. Differences can be related to both attitudinal factors and practical issues. First, subject teachers in secondary schools, appeared to see the responsibility for the IEP as mainly belonging to the learning support staff, especially the SENCO, and felt that they were not qualified to comment on pupils' learning difficulties, whereas primary staff took the view that the responsibility for all the pupils in their class was theirs, and they were already dealing with pupils' difficulties. Second, teachers in secondary schools felt that as pupils were often in ability-related sets for much of the time, the use of IEPs was irrelevant, as all the pupils in the class had similar needs and difficulties. This issue is described in more detail in the NFER report on integration (Lee and Henkhuzens, 1996). There were also logistical difficulties in secondary schools whereby SENCOs would not necessarily meet other staff informally so all communication would be in writing, making it more difficult for SENCOs to discuss the content of IEPs with subject teachers.

It could be argued that the real benefit of IEPs lies in the writing of them, especially if this is done jointly by the SENCO (or other learning support teacher) and the class or subject teacher, as each can contribute their expertise and knowledge of the pupil. Merely receiving documents which provide information on pupils' needs and targets may not be sufficient to inspire teachers to make any changes to their lesson planning or teaching and learning approaches, and there was some scepticism amongst secondary school SENCOs as to whether their subject colleagues would use them in this way. Indeed, some secondary school teachers claimed not to have seen any IEPs whilst others, who had done so, felt that as long as the learning support assistants were familiar with the content of IEPs this would be sufficient to ensure that the pupils' needs were met.

Given the amount of time and effort that some schools have put into the production of IEPs, often at great personal expense on the part of the SENCOs, the question has to be asked about whether this can be seen as an effective use of resources. The evidence, so far, indicates that primary school teachers see them as valuable but secondary school teachers, on the whole, remain to be convinced of their usefulness and appropriateness for the secondary situation.

Annual reviews for pupils with statements were already in place but despite the recommendations of the Code for LEA staff and other professionals to attend, there was evidence that some LEAs attempted to fulfil this commitment to a greater extent than others. Most LEAs cited the shortage of appropriate staff as preventing their attendance at all the meetings which took place; this obliged them to prioritise which to attend, with the result that the LEA was only involved where there were particular issues to be resolved. Staff from other agencies (such as health or social services) also participated infrequently, as shown in Chapter 7, mainly because they felt that it was an inappropriate use of their time when so few of the pupils came within their remit. At the time of the research, reviews of IEPs for pupils at stages 2 and 3 of the Code were being held at least termly.

Suggestions for future practice

- ❑ Schools should use the register primarily as a means of identifying pupils' needs and the support they require, in the context of the approaches used by the school, rather than as a database for LEA auditing procedures.
- ❑ Within the context of school development plans, reviews of policy statements and the development or revision of departmental policy statements on provision for pupils with special needs should take place at regular intervals. All relevant staff should be involved, preferably by means of joint meetings between learning support staff and subject teachers.
- ❑ The format, content and use of IEPs need to be clarified in some schools, particularly secondary schools. The first stage might be to include discussion of the place of IEPs within whole school policies on curriculum and assessment.
- ❑ In secondary schools, working parties of subject staff and learning support staff could meet to examine and analyse the use of IEPs for individual pupils, since circulating forms and notes alone does not seem to be effective. This would bring together staff with different focuses of interest and provide an opportunity to discuss what is required to improve access to the curriculum for pupils, in terms of schemes of work, teaching and learning strategies and support required.

8.2 The role of the SENCO

The role of the SENCO encompassed a wide range of responsibilities and activities, as reported in Chapter 3, and it was interpreted in different ways in each school. Of particular significance was the difference in the nature of the post between primary and secondary schools. In the latter, the SENCO was, above all, a head of department or team leader, sometimes with other responsibilities, and with high status within the school; this position had not changed significantly as a result of the Code. In primary schools, half the SENCOs were deputy heads with the responsibility for special needs included within that post, whilst the others were either full-time class teachers, or almost full-time SENCOs. The status in the school of those who were not deputies appeared to have risen as a result of the Code, either because they had been given some financial acknowledgement of their extra responsibilities or because the Code had given more authority and structure to their work.

One of the most noticeable effects of the Code was the increase in the administrative load placed on the SENCO, and schools and teachers reacted to this in different ways. In most of the case study schools a number of very positive strategies had been adopted to address this issue. These included:

- changes to the overall staffing structure;
- restructuring of the SENCO's timetable to release time for administration;
- the sharing of responsibilities amongst a number of people;
- overall streamlining of administrative procedures.

In a minority of schools such measures had not been adopted, obliging the SENCO to carry out such tasks after school or at home, on top of other commitments.

The use of additional non-contact time for SENCOs needs to be viewed critically, particularly since the data show a range of practices. If the time is spent on working with colleagues to give support and advice, participating in policy and procedural working groups to ensure that the needs of pupils with special needs are catered for, or monitoring and evaluating the practices in place in the school, then the use of the extra time can be seen in a very positive light. Taking on these areas can represent new challenges for SENCOs, especially those who have previously spent most of their time working directly with pupils, and can be seen by SENCOs as the opportunity to develop new areas of professional expertise. For those SENCOs who were already deputies these kinds of activities would already form part of the post, but for those new to the role, it would demand new skills.

On the other hand, the evidence indicates that, for some SENCOs, the change had led to their spending more time on administrative tasks, and they regretted the loss of teaching. It could also be argued that removing highly skilled practitioners out of the classroom does not benefit the pupils, especially if their time is spent on non-professional tasks, such as typing up reports or other activities which could be done more cheaply, and probably more effectively, by a trained secretary or administrative assistant. In addition, not all SENCOs, despite being capable and experienced teachers, are necessarily suited to the coordinating and liaising role; schools which recognised this situation were using alternative models for allocating managerial responsibility.

The schools which shared the administrative tasks between a team of teachers created a valuable opportunity for professional development for those staff and allowed the SENCO to retain some teaching opportunities. However, with such arrangements there is perhaps a danger that the areas of responsibility might get confused.

Writing IEPs and reports seemed to create the most paperwork for SENCOs and, where attempts had been made to streamline it, the principal approach in primary schools was to delegate responsibility for writing IEPs to class teachers. In secondary schools, where the attitude to and use of IEPs was different, a range of approaches to dealing with the paperwork had been adopted. In addition, however, in some LEAs, the documentation required by the LEA audit of special needs (in terms of the collection of evidence) made the task more onerous than that necessitated by the Code, and influenced teachers' perceptions of the amount of work involved. The development and maintenance of the register had initially entailed a significant workload for SENCOs but by the time of the research, registers were established and no longer required a large input of time.

Not surprisingly, it is the SENCOs who have little non-contact time and no colleagues with whom to share the administrative responsibility, who have found it most difficult to bring about the changes indicated in the Code and who appear to have found the paperwork the most troublesome. With little time to liaise with colleagues, these SENCOs are forced to carry out the work themselves and hope that other staff will gradually take on more areas of responsibility. In this situation, school managers and governors need to consider whether they are meeting their commitments to pupils with special needs (and to the staff concerned) if the SENCO is unable to fulfil all aspects of the role except by strenuous overwork.

In the early stages of adapting procedures to match the recommendations of the Code, SENCOs and other staff were clearly under pressure to revise their existing documentation and procedures; this took up a great deal of time. Changes to the paperwork were also made several times, in some schools, as they discovered the most effective formats. However, as the systems settle down, the administrative aspect of the work should decrease, releasing more time for SENCOs to consider and discuss the detail of pupils' progress and support needs.

Like all major changes, the implementation of the Code has led to a series of evolutionary stages which need to be passed through. As one aspect is satisfactorily dealt with, so attention can be paid to others. With regard to the Code, however, schools were at different stages: some (particularly secondary schools) were still in the process of convincing teachers that pupils with special needs were the responsibility of all staff (although the Code appeared to have helped in this respect). In other schools, most notably primary schools, teachers were taking special needs issues on board and had adopted a whole-school response to the Code and its implications. In these circumstances there is scope for the SENCO to take a more proactive role but other difficulties may then arise: have all primary school SENCOs, for example, got the necessary expertise to play a more advisory and preventative role and would secondary school SENCOs be allocated the time for such activities? There is perhaps a danger that when SENCOs have established appropriate systems and convinced their colleagues to take responsibility for all pupils, that the time allocated to them for special needs might be reduced.

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Suggestions for future practice

- Governors and senior managers should ensure that SENCOs have a detailed job description, and could consider including in it a commitment that the postholder would be allocated sufficient time to carry out the requirements of the post.
 - Procedural statements should make it clear that the overall responsibility for the production of appropriate documents rests with the SENCO, as laid out in the Code, but provide the flexibility for other staff to be involved in developing policy and procedures.
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- Governors and senior managers should consider the allocation of secretarial and clerical support to perform routine administrative tasks.
- School governors and managers should review the role of the SENCO at regular intervals to ensure that the postholder is able to fulfil all the requirements of the post.
- School governors and managers could explore methods of delegating some aspects of the SENCO's role to others as a means of lightening the load and emphasising the wider responsibilities of the post.

8.3 Training for the Code

LEAs provided a great deal of training and support to staff in their areas by means of guidance documents, exemplar materials, proformas and both centrally-organised courses and school-based support. By the time the NFER was carrying out research interviews in schools (that is, in the summer of 1996, nearly two years after the implementation of the Code) many teachers appeared to have forgotten about any LEA training they had attended or indicated that they had not participated in any external training. This can partly be attributed to the fact that many of the SENCOs interviewed, especially in primary schools, felt that the Code had been in place for such a long time that their thinking had moved on and the early training to introduce them to the Code seemed somewhat distant. However, SENCOs seemed generally satisfied with the initial training and had used it as a basis for providing training to colleagues in their own schools.

Class and subject teachers appeared to have received most of their information and training from the SENCO (apart from in one school) and varied in the extent to which they appeared to have taken on board all the implications of the Code. Most of the further training or guidance requested by staff related to the need to develop skills and strategies appropriate to teaching pupils with learning or behavioural difficulties, rather than aspects linked directly to the Code. This was particularly the case for secondary school teachers, who felt that they did not have the repertoire of skills required to work with some pupils. These were some of the same teachers who had not been involved in writing or using IEPs, activities which might have been useful as part of the process of developing their skills.

Suggestions for future practice

- ❑ Schools might consider providing more training and support to class and subject teachers, especially in secondary schools, not so much on aspects of the Code but on general strategies for teaching pupils with special needs.
- ❑ The focus of some INSET sessions might be on IEPs, as information on their purpose and use could act as a vehicle for discussion of pupils' needs and how to meet them.
- ❑ LEAs and schools could provide additional training for governors in order to support them in developing effective monitoring and evaluation strategies.

8.4 Policy and resourcing

LEAs use different mechanisms for resourcing special needs, each of which has advantages and disadvantages. An audit can be used for monitoring purposes only, in order to identify the numbers of pupils needing different levels of support, or the information collected can be used to allocate resources. In four of the five case study areas, an audit was used as a funding mechanism, as these LEAs felt that it provided a fairer approach to the distribution of resources than other methods. One of the main problems, however, appeared to be in the relationship between the stages of the audit and the stages of the Code, as the two appeared to be confused in the minds of some schools, in terms of pupils' needs and the provision available.

In the Code, pupils are placed on a particular stage according to the extent of support they need, in the context of the school which they attend. There is some evidence emerging (Thomas and Davis, forthcoming) which suggests that in schools with an overall high level of ability, pupils with special needs are placed on higher stages of the Code than in schools with overall lower levels of ability and higher proportions of pupils with special needs. Although this is, in itself, problematic, it nevertheless reflects the implications of the Code that levels of support are related to the overall environment of the school. This would imply that a pupil who is on stage 2 in one school might be on a different stage (or no stage) in another school, which would not be significant, as long as the pupil received appropriate support. However, when the audit takes place, if schools are allocated funds according

to the numbers of pupils at each stage, differences between schools will be highlighted, and schools will inevitably consider their entries on the register with this in mind. Moderation was considered very effective in some areas where measures were taken to ensure that schools had good supporting evidence for the stages at which they were placing pupils, and which took account of the school environment for each pupil. However, there was still a danger that some schools would appear to be rewarded for having large numbers of pupils on high stages, whilst others suffered financially because they provided effective support for pupils.

LEAs were well aware of the implications of linking the stages of the audit with the stages of the Code, and consequently, the levels of funding allocated to schools. They were keen to use a range of measures which would lead to consistent approaches to funding.

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Suggestions for future practice
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- LEAs should consider providing more information to schools on the allocation of resources, showing how they are distributed across schools.
 - In LEAs where audits are currently used to allocate funds to schools, there could be discussion of separating the audit from the funding or of using a range of additional indicators.
 - Where audits are in place LEAs could ensure that moderation panels are effective by including headteachers and SENCOs on the panel, thereby developing agreement across the LEA as well as within schools.
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8.5 Monitoring and evaluation

Much of the monitoring carried out by LEAs was based on analysis of a wide range of data collected from schools by several means (school returns to the LEA, curriculum documents, use of resources, OFSTED and local authority inspection reports) and by reference to their own records. There was general agreement by LEAs and schools that it was appropriate for schools to demonstrate how they used resources and how they supported pupils, but some teachers felt that information was collected only as a means by which LEAs could reduce funding levels.

The question of evaluating quality was more difficult and some LEAs were attempting to tackle this issue either through the systematic monitoring of written information supplied by schools, or through moderation panels which provided professional development for participating headteachers and SENCOs and issued feedback to all schools on the levels given to pupils.

In schools, much of the responsibility for monitoring the progress of pupils with special needs was held by SENCOs and most had developed systems for assessing and reviewing pupil progress at regular intervals. However, this was often linked to the demands of the audit as well as the Code. Again, attempts were also being made to look at the quality of provision for pupils, through discussion with other staff, parents, governors and, in one case, external consultants, rather than simply looking at hard data.

Governors have overall responsibility for monitoring but the research showed that many were sensitive about their role in this respect and did not wish to intrude into professional areas. However, in most schools, a working group existed to monitor policy and practice and some governors became involved in different ways. There is always a difficulty for governors in that they feel they have to rely on the SENCO and the headteacher to keep them informed but their role in this respect would be easier if the policy defined more clearly the criteria by which success could be measured (see 8.1 above) and if regular discussions were held about such matters.

Suggestions for future practice

- LEAs should provide more guidance to school governors and senior staff on monitoring and evaluation strategies.
- SENCOs could collaborate with other school staff who have responsibility for monitoring and evaluation throughout the school, thereby looking at the progress of pupils with special needs in the context of whole-school quality assurance.

8.6 Inter-agency liaison

The Code emphasises the importance of schools liaising with a range of professional agencies and the need for the agencies themselves to collaborate, in order to make support for pupils more efficient. The research indicates that multi-agency groups have now been established, or, where they already

existed, have been placed on a more formal setting. Most of the difficulties which groups experienced in collaborating have arisen from the differences in policy and practice established in each of the agencies and their (sometimes) contrasting priorities.

From the perspective of non-education agencies, the Code appeared to be a positive initiative but staff in those agencies also felt that there were areas in which the priorities of educational staff were different from their own, and that this needed to be understood. Health and social services professionals also raised the issue of responsibility for funding certain areas of provision, but this is an issue that needs to be resolved by decision makers at Local Authority level, since professional staff are not in a position to change or reinterpret policy.

Health authority staff were also concerned that, in providing and seeking information related to the Code, LEA staff did not appear to understand the separate responsibilities of providers and purchasers within the health service. It could be argued that it is the role of the health authority staff to ensure both that all sections of their authority are aware of the implications of the Code for their work and that LEA staff are given appropriate information on how the health authority system works.

Relationships between the careers service and LEAs generally appeared to be positive although there were some caveats related to the lack of information provided on pupils, in some areas. Careers service staff seemed to have good relationships with schools and, in many cases, dealt directly with the SENCO, rather than via the LEA. They did point out, however, that special schools tended to be more welcoming than mainstream schools. As reported earlier, responsibility for planning 14+ transition meetings rests formally with the LEA, but in some areas schools and careers staff were jointly setting up the meetings on behalf of the LEA. This appeared to be more efficient but also provided extra work for those staff involved.

The joint meetings between agencies already being held and planned are an essential first stage in which participants can gain an awareness of other people's work and their priorities. The next stage, however, requires joint planning and action in order to deal with the issues arising, in the most effective manner.

Suggestions for future practice

- ❑ LEAs should continue to develop strategies for working with staff from other agencies to foster good relationships and increase their knowledge of each others' systems.
- ❑ Agencies should provide opportunities for staff working with other agencies at grassroots level to meet regularly in order to encourage the mutual understanding developed at senior level.
- ❑ The benefits of joint training identified in the research should be built on by the provision of further opportunities to share information and ideas.

8.7 Concluding points

It is clear that the Code has had a significant effect on the work of LEAs, other agencies and schools but it remains to be seen whether it will have any long term effect on the progress of pupils with special needs. In the short term, however, the feeling seems to be that the changes brought about have achieved a number of aims:

- Pupils' difficulties and needs are being identified earlier;
- The formalisation of the role of SENCO provides teachers with a source of information and guidance on how to identify and teach pupils with special needs;
- The introduction of the register allows schools and LEAs to monitor the progress of pupils in schools and the level at which support is being provided;
- Individual education plans, although at an early stage of development in some schools (particularly secondary), have the potential to draw teachers' attention to pupils' needs and how to meet them;
- LEAs and other agencies are working at improving their liaison so that schools and pupils will be provided with a more coherent and accessible service;
- Parents of pupils with special needs are becoming more involved in the decision-making process.

It appears that some of the difficulties in developing and establishing efficient and effective administrative systems have now been overcome, and this situation should improve, as teachers become more familiar with the procedures and documents. Strategies have been adopted to reduce the burden on SENCOs, who appear to be in favour of the changes brought about by the Code, despite their concerns about the level of work.

Several areas of concern have, however, been highlighted by the research. First, the lack of explicit criteria by which schools and LEAs can monitor the effectiveness of the provision they are making for pupils with special needs, which is something that any revisions to the Code should try to address. Second, there is a pressing need for LEAs to clarify how resources for special needs are allocated to schools and how they are used to support pupils. Finally, there is a need for LEAs to develop guidance for secondary schools on the development and use of IEPs, which takes account of the secondary context and demonstrates the value of such an approach in the teaching and support of pupils with special needs.

The procedures are now largely in place but the real challenge for LEAs and schools is to ensure that their use provides an effective means of providing support for teachers and pupils so that learning is enhanced. All this has to be done within the framework of whole school development where the needs of pupils protected by the Code of Practice are seen within the wider context of the needs of all pupils in the school.

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APPENDIX 1

SUMMARY OF THE INTERIM REPORT FINDINGS

The Interim Report, published in May 1996, contained findings from the first phase of the research and was concerned with the ways in which LEA staff responded to the Code and the strategies they employed to facilitate its implementation. The report contained data from both the questionnaires and the first round of interviews, which illustrated that the Code was being implemented in very varied environments. Furthermore, LEAs were in different positions regarding the amount of support retained centrally, as opposed to delegated, and the total budgets allocated for special educational needs. This explains why some, for example, appeared to be increasing provision as a result of the Code and others reducing it. The staged approach to identifying and assessing pupils' needs was well-established in some areas and still being developed in others.

Overall, the view of the Code was that it was an extremely useful document, the spirit and intent of which were to be welcomed. It was the process of developing, in collaboration with schools, a workable system incorporating these principles that was exercising staff in the authorities. There was certainly anxiety, especially concerning its implications for staffing and other resources. Indeed, the only negative comments about the Code focused on the lack of extra resources for implementation.

Despite having provided a generally well-attended and comprehensive programme of in-service training for teachers and governors, all but two LEAs (53) stated that they were aware of schools' problems in putting into practice the guidance contained in the Code. The problems described were very wide-ranging, covering all issues related both to special education provision and to the change process itself.

Key challenges identified by LEA staff included:

- the considerable expectations that the Code made of the SENCO role;
- the importance of removing any incentives to place children on higher stages to secure additional resources;
- difficulties in collecting evidence from schools for purposes of monitoring;

- relating the needs of pupils with emotional and behavioural difficulties to the stages of the Code;
- concern that the Tribunal system would generate a rise in the number of parents taking such action;
- making the Named Person role a practical and valuable proposal.

Many of these issues are discussed further in this final report.

APPENDIX 2 DETAILS OF CASE STUDY INTERVIEWS

During the autumn and spring terms of 1996 interviews were carried out in the five case study authorities with the following people:

	Number
LEA	
Inspectors (Special Educational Needs)	2
Advisers (Special Educational Needs)	6
Educational psychologists	7
LEA officers	13
Independent consultants	2
<i>Total</i>	<i>30</i>
Health authority	
Paediatricians	5
Purchasers	5
<i>Total</i>	<i>10</i>
Social Services	
Advisers (disabilities)	3
Planning managers	3
<i>Total</i>	<i>6</i>
Careers	
Special needs managers	5
<i>Total</i>	<i>5</i>

During the summer term 1996, 20 schools were visited and interviews were carried out with the following people:

	Number
In primary schools	
Headteachers	10
SENCOs	10
Class teachers	9
Learning support assistants	2
Governors	5
<i>Total</i>	<i>36</i>
In secondary schools	
Headteachers	10
Deputy headteachers	5
SENCOs	10
Heads of year/Heads of Department	14
Departmental SENCOs	4
Subject teacher	1
Governors	5
<i>Total</i>	<i>49</i>

APPENDIX 3 DEFINITIONS

The agencies working with children and young people, such as LEAs, social services and health authorities have different priorities, as is demonstrated by the fact that their work is governed by two separate Acts. LEAs work to the Education Act which defines **children with special educational needs** as follows:

'A child has special educational needs if he or she has a learning difficulty which calls for special educational provision to be made for him or her.

A child has a learning difficulty if he or she:

- (a) has a significantly greater difficulty in learning than the majority of children of the same age
- (b) has a disability which either prevents or hinders the child from making use of educational facilities of a kind provided for children of the same age in schools within the area of the local education authority
- (c) is under five and falls within the definition of (a) or (b) above or would do if special educational provision was not made for the child.

Special educational provision means:

- (a) for a child over two, educational provision which is additional to, or otherwise different from, the educational provision made generally for children of the child's age in maintained schools, other than special schools, in the area.
- (b) for a child under two, educational provision of any kind.'

Education Act 1993, Section 156

Health authorities and social services departments work within the definition laid out in the Children Act 1989 which identifies **children in 'need'** to include a child who is:

- unlikely or does not have the opportunity to achieve or maintain a reasonable standard of health or development without provision made by the local authority; or
- his or her health and development are likely to be significantly impaired, or further impaired without the provision of services by the local authority; or
- he or she is disabled.

Children Act 1989, Section 17(10).

APPENDIX 4

PROJECT ADVISORY GROUP

This group provided advice on both special needs projects.

Members of the group

Christine Air	Inspector for Special Educational Needs, Warwickshire
John Bangs	NUT
Judy Bradley	Assistant Director, NFER
John Browning	SEN Policy Division, DFEE
Felicity Fletcher-Campbell	Senior Research Officer, NFER
Chrissie Garrett	Head of Learning Support, Banbury School, Banbury
Michael Hart	Head of Learning Support Services, Harrow
John Hosegood	HMI
Hazel Lawson	Head of Senior Department, Greenside School, Stevenage
Pat Mullany	Education Department, Doncaster



THE CODE IN PRACTICE: The Impact on Schools and LEAs

Since its publication in 1994, the Code of Practice on the Identification and Assessment of Special Educational Needs has met with mixed reactions. Although welcomed in principle, its emphasis on procedures and its 'cost-neutral' status raised considerable doubt about the feasibility of its implementation.

An NFER project set out to explore how LEAs and schools have interpreted and implemented the requirements of the Code two years after its introduction. This report describes some of the challenges and evaluates the effectiveness of responses made.

The project found that:

- individual education plans were more established in primary schools than in secondary schools;
- the SENCO role was being redefined to make it more manageable;
- LEAs had provided training on the Code but teachers wanted more guidance on classroom strategies;
- LEAs were moving towards the linking of funding with the stages of the Code;
- schools' special needs policies were lacking in detail about arrangements for monitoring and evaluation;
- the Code of Practice had provided the impetus for closer, collaborative working between LEAs and other agencies.

The findings support the view that the fundamental principles of the Code have been widely accepted and incorporated into LEA and school policies, but that manageable systems for implementing the associated procedures have still to be developed. The report concludes by offering a number of suggestions that LEAs and schools may wish to draw upon in order to make future progress in this area.

ISBN 0 7005 1442 2

£8.00