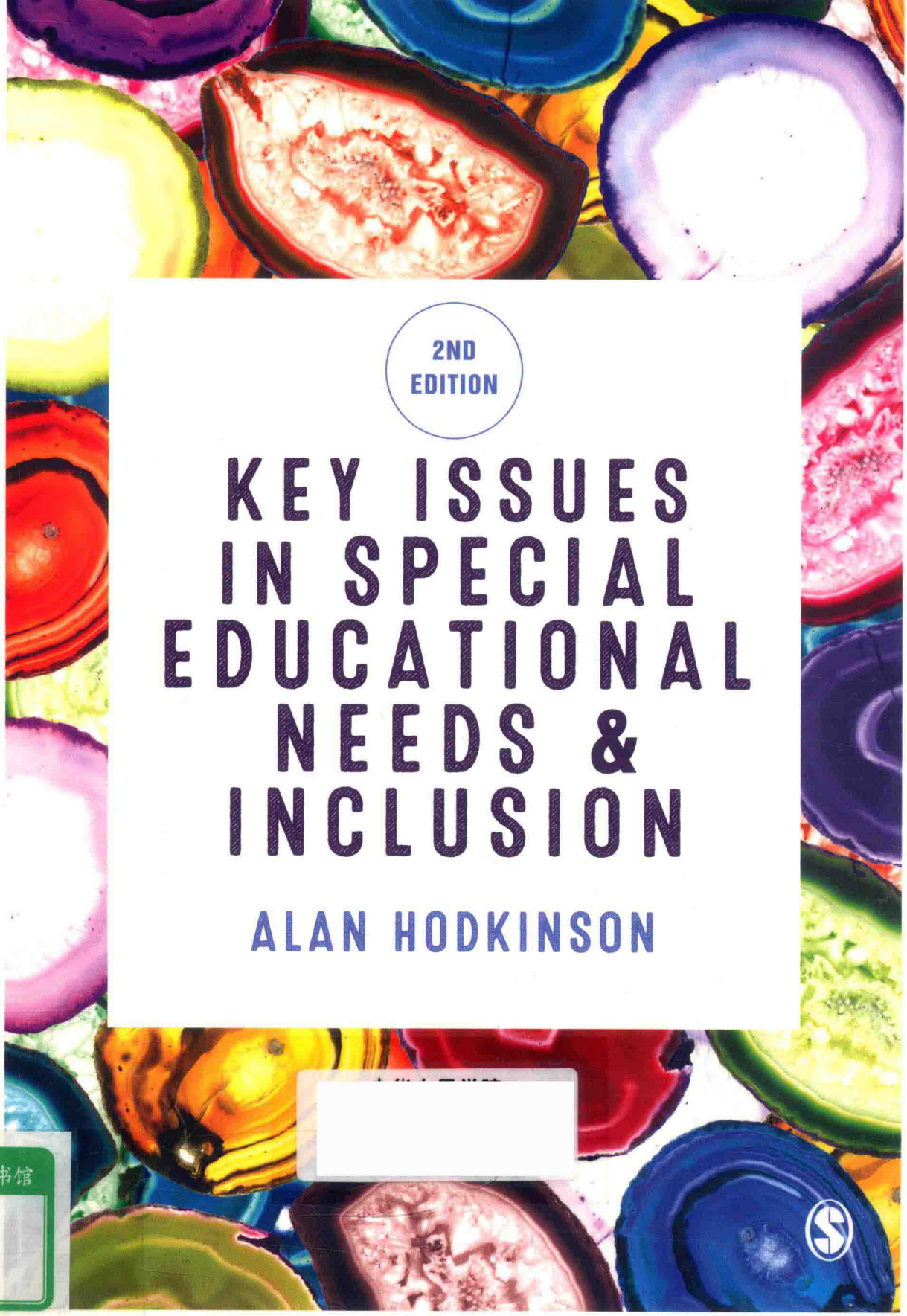
2ND
EDITION
KEY ISSUES
IN SPECIAL
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2ND EDITION

KEY ISSUES IN SPECIAL EDUCATIONAL NEEDS & INCLUSION

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KEY ISSUES IN SPECIAL EDUCATIONAL NEEDS & INCLUSION

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To all the children and professionals whom I have encountered in my journeys into the world of special educational needs and disabilities. I have learnt so much from you and for this I shall always be grateful.

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And finally, to Phil, a researcher and scholar who is a breath of fresh air in a sometimes stagnant world.

Alan Hodkinson

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ABOUT THE AUTHOR

Alan Hodkinson was for many years a Special Educational Needs Coordinator (SENCo) and senior manager in the primary school sector. Currently, he is an Associate Professor in the Centre for Culture and Disability Studies at Liverpool Hope University.

PREFACE TO THE SECOND EDITION

The first edition of *Key Issues in Special Educational Needs and Inclusion* provided a starting point for students to engage in an informed debate about the complexity of special educational needs (SEN) and inclusion that existed within the first decade of the twenty-first century. Reviews of the text noted that:

> This is probably one of the most accessible books I have read lately in relation to SEN and inclusion. . . . It would be very accessible to students who are relatively new to the theoretical aspects behind the idea or concept of inclusion.

This second edition updates the text by examining and exemplifying the 'radical overhaul' of SEN, disability and inclusion that has taken place since 2010. This text takes a more critical stance to inclusion and how its conceptual underpinning is defined through policy and the manner in which it has been operationalised in schools. Responding to the constructive criticisms provided by anonymous reviewers, this edition has revised how international elements of inclusive practice are examined. It is hoped that these revisions will enable students to find continued value in this text as an introduction to SEN and inclusion.

Context of the book

SEN, disability and inclusion are areas that are both complex and multifaceted. This is a world where professionals, families and administrators coexist with each other and despite their sometimes competing agendas have to ensure that, through their best endeavours, children's needs are met. This world though has another side – that of government departments, educational and health policies, civil servants and the public at large. This 'underworld' provides the political will that confirms, conforms and constrains the systems and processes of SEN and inclusive provision that children experience in their educational journeys through our schooling system. This world has in recent times been subject to change, as in 2010 the government radically overhauled policies relating to SEN. In creating its policy, government

articulated that it was responding to the frustrations of children and families to the landmark educational policy of the last Labour government, namely that of inclusion (see DfE, 2011).

The study of such policy and practice transformation within the context of SEN and inclusion necessitates students' recognition of the complex interplay between these two worlds (Norwich, 2000). SEN exist upon a continuum of abilities and impairments and sometimes there is no clear-cut distinction between those who have SEN and those who have not (Terzi, 2005). Conceptualising differences such as disability, impairment and the SEN of children upon this continuum is complicated and often fraught with difficulties, not least in that we are dealing with an individual's life, hopes and aspirations. There are many competing views about the definitions of SEN, disability and impairment and how these affect children in schools. Perhaps, most contentious of all, certainly in light of the recent government's so called 'radical overhaul' of SEN policies, is how and indeed where educational provision for these children should be organised (Lloyd, 2012).

Uses of the book

This book explores and critically examines the world of SEN, disability and inclusion. It will raise students' awareness of the key issues and concepts that dominate this world by providing a perspective of the ideological and political debates that have shaped its historical and current development. While it is clear that the catalogues of publishing houses (Nind, 2005) and journals are bursting with titles that relate to SEN, disability and inclusion, a closer examination of such material reveals that many texts assume a level of knowledge, understanding and sometimes practical experience, which many students may not possess. The aim of this book, therefore, is to provide a starting point to enable students to develop a basic knowledge and understanding so that they might be better able to engage in meaningful, informed and critical discussion of the issues that dominate SEN, disability and inclusion. Whilst this text is not intended for teacher trainees, many such students did find the first edition of this text a useful supplement to their studies.

A text such as this then, directed as it is towards the novice student, can only provide an overview of the complexity of the issues. As such, some concepts are necessarily subject to simplification and it is accepted that this may, perhaps, cause a distortion of the facts. However, throughout the book the student is directed towards further materials that will help them to develop a more complete grasp of this area. I therefore want to emphasise from the outset that this text is only the beginning of a student's journey into this complex world, as it offers only a basic introduction that provides a point of departure for a deeper exploration and critical examination of SEN, disability and inclusion.

Format of the book

This book is organised into three distinct sections. Section 1 defines the concepts of special needs and SEN and examines how provision for such is maintained in

England, Northern Ireland, Wales and Scotland. In addition, it analyses how the development of the concept of disability has been defined through ideological models that have developed over time. Furthermore, it considers how the attitudes of teachers, parents and non-disabled children have affected the inclusion of disabled children within schools. Section 2 considers the historical development of the world of SEN, disability and the emergence of inclusive education within England and during the latter part of the twentieth century. Section 3 examines the legislation governing SEN, disability and inclusive education in England. It also offers an outline of how the SEN Code of Practice operates. This section also outlines and examines the roles and responsibilities of the education, health and social care professionals involved in the delivery of SEN and inclusive educational provision. Chapter 8 offers a comparative analysis of the legislation and practices that govern the delivery of SEN, disability and inclusion within the English education system, and that of a number of other European and non-European countries.

Throughout the book the terms 'special educational needs' (SEN) will be employed as opposed to the term 'special educational needs and disability' (SEND). This is because 'SEN' has a legal determination, whereas 'SEND' does not. This difference is explained more fully in Chapter 1.

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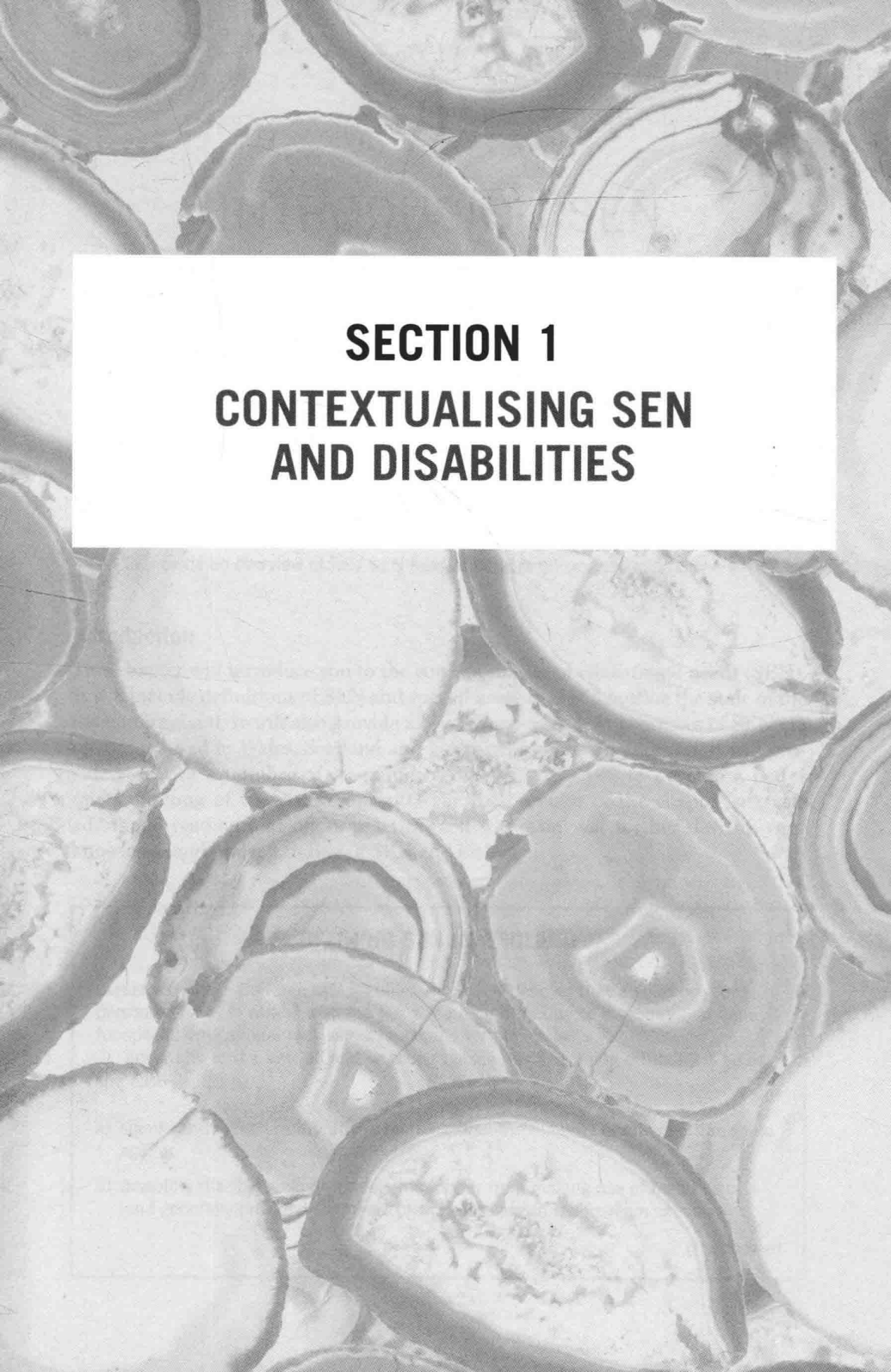

SECTION 1
CONTEXTUALISING SEN AND DISABILITIES

1

INTRODUCING SEN

CHAPTER OBJECTIVES

- To introduce the concept of SEN and the scale of the issue in England.
- To define the differences between SEN and special needs.
- To provide an overview of how SEN legislation is employed throughout the UK.

Introduction

This chapter will introduce you to the concept of special educational needs (SEN). It will include definitions of SEN and special needs and will outline the scale of the issue in England. It will also provide a brief overview of how processes of SEN are operationalised in Wales, Scotland and Northern Ireland. In addition, it will provide you with a number of case studies that will help you to develop a better understanding of these key concepts. The final section of the chapter suggests additional reading and offers practical activities that will further develop your knowledge and understanding of SEN and inclusion.

DEFINING SEN IN ENGLAND

Clause 20 of the Children and Families Act 2014 denotes that a child or young person has a SEN when he or she has a learning difficulty or disability that calls for special educational provision to be made for him or her.

According to the Act, a child or young person has a learning difficulty if he or she has:

a) significantly greater difficulty in learning than the majority of others of the same age; or

b) disability that prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools.

(Continued)

(Continued)

Following a formal assessment under Section 37 of the Children and Families Act 2014, a local authority may issue an Education, Health and Care Plan (EHCP). This is a legal document specifying the child's needs, the special educational provision required and the outcomes that will be sought for that child.

The phrase 'SEN' was coined by the Warnock Report of the late 1970s (DES, 1978). Previously, children had been labelled by the employment of ten categories of 'handicap' set out in the regulations of the 1944 Education Act (see Chapter 3).

The ten categories of 'handicap' defined by the 1944 Education Act were:

- blind
- partially sighted
- deaf
- delicate
- diabetic
- educationally subnormal
- epileptic
- maladjusted
- physically handicapped
- speech defect.

The Warnock Report in 1978, followed by the 1981 Education Act (DES, 1981), altered the conceptualisation of special education by emphasising that a child's educational need should be prioritised first and not their individual learning disability or impairment. Today, in the context of educational provision, the term SEN has a legal definition that refers to children who have learning difficulties and/or disabilities, which make it more difficult for them to learn or access education than most children of the same age.

The Children and Families Act (DfE, 2014a) (see Chapter 7 for further details) offers guidance that helps teachers and other professionals make decisions upon whether a child has a SEN. For example, it states that:

> A child or young person does not have a learning difficulty or disability solely because the language (or form of language) in which he or she is or will be taught is different from a language (or form of language) which is or has been spoken at home. (Section 20[4])

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