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## **SfL Submission Cover Sheet**

# **'Nowhere that fits' – the dilemmas of school choice for parents of children with statements of special educational needs (SEN) in England**

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**'Nowhere that fits' – the dilemmas of school choice for parents of children with statements of special educational needs (SEN) in England**

## **Abstract**

Giving parents a choice with regard to their children's education has been central to the political discourse of school reform at least since the 1988 Education Reform Act (ERA) (DfE, 1988). With regard to children with a statement of special educational needs (SSEN), a plethora of policies and laws (e.g. ERA, 1988; Education Act, 1996, SENDA, 2001) have given parents not only the right to choose a school, but also to appeal to decisions in the best interest of their children. Yet, despite the discourse the implementation and practice of such reforms are neither assured nor simple. Participants in the study indicated that they have little choice of suitable provision and are having to compromise either the academic or the social aspects of their child's schooling.

This paper argues that for many parents whose children have a statement of SEN the choice of a school is often a dilemma as nowhere seems to fit.

**Key words:** parents, inclusion, special educational needs, school choice

## **'Nowhere that fits' – the dilemmas of school choice for parents of children with statements of special educational needs (SEN) in England**

### **Introduction**

Parental choice of school has been at the heart of policy discourse since the 1988 Education Reform Act (ERA) (HGM, 1988). With regard to children with a statement of SEN the 1996 Education Act (DfE, 1996) gave parents the right to express a preference for a particular school, and the Special Educational Needs Disability Act (SENDA) (DCSF, 2001) enabled them to challenge schools and local authorities on the basis of discrimination. In its 2010 Special Needs review, *A Statement is not enough*, the Office for Standards in Education (OFSTED, 2010) found that 'no one model – such as special schools, full inclusion in mainstream settings, or specialist units co-located within mainstream settings worked better than any other' (p.3), and that parents needed more support in choosing a school for their children. This review and the 2009 Lamb report (DCSF, 2009), as well as the House of Commons Education Select Committee's report on SEN (2006), were the foundations of the present UK coalition government's Green Paper on SEN and disability (SEND) (DfE, 2011), hailed by the Times Educational Supplement as 'the biggest shake up of SEN in 30 years' (11/3/11); this chimes with Hodgkinson (2012) who argues that

New Labour's landmark educational policy of inclusion was, actually, more an illusion than a reality.

The Green Paper *Support and aspiration a new approach to special educational needs and disability* (DfE, 2011) argues that reform is required to give parents a real choice unencumbered by bureaucratic red tape and needless delays. The main argument for reform of the SEN provision is that 'Every child deserves a fair start in life, with the very best opportunity to succeed. Currently, life chances for the approximately two million children and young people in England who are identified as having a special educational need (SEN), or who are disabled, are disproportionately poor' (p.14). The solution is that 'There should be **real** choice for parents' by 'removing any bias towards inclusion' which 'obstructs parent choice' (p.18).

The Green Paper and the forthcoming legislation raise a number of questions. First of all, legislation and its implementation refer to choice and stating a preference as if they were the same. In reality, parents might have the right of stating a preference of school, but this does not ensure that they have a 'real' choice in the end. Second, deciding which school is 'right' for a child is more complex than a simple placement-based dichotomy between special schools and 'inclusion'. Besides the obvious logical mistake of associating inclusion with placement in mainstream schools as if special schools should not fulfill the principles of inclusion, choosing a school is the result of parents weighting a number of related factors. Third, establishing whether a school is right can be more a jump in the dark and an act of faith than a rational choice based on evidence since the evidence required rests on how the child fulfills his/her potential only once he/she is placed in the school. It is within this complex

context, that this paper argues that for many parents the choice of a school for their child with a statement is a dilemma as nowhere seems to fit.

### **Background to SEN and school choice legislation**

The publication of the Warnock report (DES, 1978) marked a watershed in the English education system, because it established the term 'special educational needs' and suggested that the needs of all children could be met in mainstream schools, with additional resources, wherever possible. It was the 1981 Education Act (DES, 1981) which put into place the legislation to support the integration of the 20% of children with SEN into mainstream schools. Since then there has been further legislation and guidance both nationally and internationally, for example the Salamanca statement, (UNESCO, 1994) and *Removing barriers to achievement*, (DfES, 2004), to develop the concept of inclusive education.

Of the 20% of students who may be identified as having special needs at some point in their schooling there are some who will have a statement of special educational needs, namely, a formal document, given after a statutory assessment is made by a LA (Local Authority), detailing a child's learning difficulties and the help that will be given. In 2012 2.8% of children had a statement of SEN (DfE, 2012), a figure that has remained consistent over the last 5 years, although there are considerable variations across LAs. Over 53% of students with statements attend mainstream schools in line with the statutory guidance, *Inclusive schooling – children with special educational needs* (DfES, 2001a), which stated that all children be educated in mainstream, unless such an education is incompatible with either the 'efficient education of other children', or the wishes of the child's parent (p. 11). This guidance is supported

by the SENDA (DfE, 2001), which requires that mainstream schools make the *reasonable steps* necessary to allow for inclusion.

However, in reality, despite these positive legislative efforts, there are considerable difficulties in establishing clearly the meaning of terms such as incompatible, efficient education and reasonable steps (Black-Hawkins, Florian & Rouse, 2007). Consequently, there is uncertainty as to whether the children currently educated out of the mainstream system are there because of the 'wishes of their parents' or because their being in mainstream is incompatible with the *efficient education of other children*. The incompatibility clause is problematic for both parents and schools and one of the pivotal aspects of the dynamic of choice.

### **Review of the literature on school choice making**

Barton (1997) argued that as a consequence of decentralisation and increased choice, schools have become more concerned with image and appealing to the *right* customers. He also suggested that the availability of choice is different from the ability to choose and that the exercising of choice by some will limit the opportunity for others to choose. Other commentators (Gerwitz *et al*, 1995, Bowe *et al*, 1994) suggested that the 1988 ERA and the 1993 Education Act set up an education system in which parents saw schooling as a commodity. In the open and free market, therefore, parents might be consumers, but their children might become commodities with varying market value (Bowe, *et al*. 1994). Bagley and Woods (1998) identified two value perspectives which underpinned parental choice and decision-making: the instrumental -academic and the intrinsic-personal/social one. They argued that parents of children with SEN held

the intrinsic-personal/social perspective, i.e. they valued the child as a person, their likes and dislikes and sensitivities. They wanted their children to go to schools where they would feel safe and secure and develop fully in a stimulating environment. In contrast, they found that school managers took their decisions based on the instrumental-academic perspective, and their views of what constituted a successful school were framed in terms of examination results. The *privileging of the academic outcomes*, i.e. the school's emphasis on the academic rather than pastoral or social developments, could have dire consequences for parents of children with SEN, who may 'find themselves marginalised and devalued in a competitive environment driven by instrumentalist values antithetical to their needs, concerns and priorities' (p.781). A decade and a change of government later, Runswick-Cole (2011) referred to a similar problem, the conflict of the standards agenda and inclusion as schools are simultaneously required to drive up their academic standards while at the same time they are required to include children whose achievement (p.116) or indeed behaviour falls far short of these standards. LAs also have a similar conflict with managing their funding and providing early intervention and inclusive provision for all and yet, at the same time, managing the funding for statements (Hodkinson, 2010).

Children with a statement whose behaviour falls far short of the required standards may well have a label of Autistic Spectrum Disorder (ASD) or Behavioural Emotional Social Development (BESD), two areas of SEN identified by the House of Commons Education and Skills Committee (2006) as the fastest growing SEN. Whittaker (2007) found that parents whose children with ASD were attending mainstream schools were in the majority happy with the

provision, he also highlighted the fact that respondents to his survey were concerned about how well mainstream schools dealt with promoting social development & relationships and some were concerned about their lack of flexibility. Humphrey and Lewis (2008) found, that when it came to secondary schooling, parents' confidence in the effectiveness of inclusion for their children with ASD diminished. Visser *et al* (2002) suggest that pupils with BESD difficulties constitute a greater challenge for inclusion than all other areas of SEN. Visser and Stokes (2003) argued that there was insufficient legal provision to assist in the inclusion of pupils with EBD within mainstream schools. Others (Connor 1997; Runswick-Cole, 2008) suggest a range of reasons that motivate parental choice of schooling.

In conclusion, while there is little doubt that the issue of choice in the education market is a contentious and confusing one for many parents, perhaps Vincent *et al* (2010) summarise it most succinctly 'Choice could be better understood as a signifier for a composite of fears, aspirations, contingencies and constraints, norms, social relations, and routines and 'obviousnesses' that are involved in the relations between families and ... schools' (p295).

## **Methodology**

The survey data being reported in this paper are part of a larger doctoral study investigating which factors and aspects parents took into account when choosing a school for their children with a statement and also what they thought of the schools they had chosen. The survey, designed with reference to Bagley & Woods school choice survey (1998), was divided into 3 main sections. The first section focused on the demographics of the parent and child; section two related



to factors that influenced school choice decisions; and the final section focused on how well school placements were meeting the children's needs and parents' expectations.

Gaining access to parents of children with SEN statements proved to be very challenging for a researcher not working a school or LA. A LA in the South East of England agreed to work with me and the survey was sent out via their SEN team, to parents of children aged 4-5 years or aged 12-13 years; this meant a sample of 380 families.

## **Results**

### *Demographics of families who took part in the survey*

78% of respondents were mothers and 15% were fathers, 2% were completed by both parents and 5% by foster carers. The majority of respondents (75%) were aged between 41-50 years, although there were similar numbers of both younger and older respondents' too. 40% of respondents were educated to at least graduate level and just over half of respondents lived in villages across the LA. Forty nine separate SEN were identified across the sample, for the purposes of the analysis primary needs were used and allocated to the categories of SEN used in the Special Educational Needs Code of Practice 2001 (DfES, 2001b).

### **Figure 1 - Ages of children**

The majority of the children in the sample were aged between 12-13 years.

(A note on labels, many children may have had more than one SEN and as the authors of the DfES report Admissions and exclusions of pupils with SEN explain

identifying need is not 'an exact science' (2005, p. 11),. The category of Communication & Interaction Needs (CIN) includes ASD & Asperger's.)

**Table 1- Category of SEN & whether respondents identified school attended as their local school**

Most of the children in the survey attended a special school which was not based in their local community, in contrast to the majority of children in England who attend a mainstream school in their local community. They travelled various distances to school ranging from 0.25miles to 90 miles, over 75% of the children travelled more than 3 miles to school. 64% of parents had 'chosen' school's that they did not consider being their 'local school'.

For many not attending local schools also meant not attending a mainstream school. 51% of the children in the survey attended a special school, 34% attended a mainstream school and 15% attended a mainstream school with an attached specialist facility (ARP). Again the type of SEN played a part in this, e.g. the data shows that all the children with BESD attended special schools or, in one case, an ARP and the majority of children with CLD also attended specialist provision.

**Table 2- Category of SEN and type of school attended**

With regards to whether parents felt they had been given an actual choice the results varied depending on the type of SEN. The majority of parents/carers whose children had CLD felt that they had been given a choice, however, fulfilling the choice was problematic. One parent said they had had a choice but *'had to fight to get LA to pay'*, another agreed but *'only after a long fight with LA who wanted our daughter to attend another school'*. Of those who felt they had

not had a choice, one commented, *'were told her mainstream school was unable to cater for her needs any longer'*. The respondents whose children had BESD were less positive, only half of them felt that they had had a choice. One parent who felt they had not had a choice, commented that *'there are no suitable schools in county so it came down to a choice of one'*. The majority of respondents whose children had CIN commented that they did not feel they had been given a choice. Even one of those who did feel they had had a choice, wrote *'but only because I pushed and paid for extra reports/assessments to support my choice'*. Those who felt that there was no choice for them explained that *'county made it very clear they would only send to two schools on list'* and another felt that *'no other school specifically met her [the child's] needs'*. The situation for parents of children with SPN and Medical needs was more positive, parents felt that they had been given a choice, for e.g. *'all schools were open to me'*; although again some parents had faced difficulties, *'had to fight for my choice as only one special school locally'*.

#### *Factors affecting school placement decisions*

Parents/carers were influenced by a range of factors when making their decisions about which school to send their child to, see below.

#### **Figure 2- Key factors that influenced school choice decisions**

Specialist staff and facilities were clearly key factors in helping parents choose one school over another, 59% of respondents reported that their child's SEN had completely influenced their decision about school choice. These factors were mentioned significantly more by the parents whose children attended special schools, a finding that is similar to Jenkinson's (1998)) results from a survey of parents from a support group in Australia, where parents identified special

programs, student-teacher ratios and self-esteem as key factors. There were other pull factors and, in a minority of cases, there were also push factors, for example *'to avoid residential'* or *'given little choice'*.

In terms of guidance on which school was best for their child, most of the parents surveyed got their advice from the LA SEN team or the child's previous place of education (table 3).

### **Table 3- Where parents got their advice from**

The role of the LA proved to be a key factor in the choice process; respondents' comments varied from feeling pressured by the LA who *'wanted our daughter to attend another school'* to others who felt that they were *'not given any guidance which may have been best school for my daughter'*. Although 56% of respondents felt that they had received all the information they needed to help them choose a school, the remainder felt that they had not and some felt that the LA had actually been *'obstructive'* and *'unwilling to listen'* and that little or no information on special schools had been provided.

### *Parent's aspirations and views of current schooling*

As figure 3 shows, social and life skills and confidence were what most parents expected their child to gain from their schooling.

### **Figure 3- What parents wanted their child to gain from schooling**

Parents and carers also commented on the positive and negative aspects of the school their child was attending (see Figs.4 & 5).

### **Figure 4- Positive aspects of current schooling**

There were many positive aspects reported and half of all respondents felt that their child was included in the school community and nearly one third felt their child was included in extra-curricular life at the school. Far fewer negative aspects of schooling, such as distance travelled and not reaching academic potential, were reported (Fig. 5). There was no correlation between parents who felt they had had a choice or hadn't had a choice and the number of positives reported, even those respondents who felt that they hadn't had a choice and wouldn't choose the same school again reported on some positives. There was also no correlation between the reporting of positive and negative aspects of schooling and the type of school the child attended.

#### **Figure 5- Negative aspects of current schooling**

Parents/carers were also asked if they would make the same choice again, almost all the respondents whose child has CLD were clear that they would choose the same school again as, *my 'child is happy, school have exceeded expectations'*. When it came to children with CIN, SPN and medical needs, almost all respondents said that they would make the same choice again, with a variety of positive comments being made, *'very pleased with specialist teaching', 'doing well, school positive & encouraging, gained confidence', 'our experiences have been mainly positive so would choose again'*. There were a small minority of respondents who would not have chosen the same school again, parents whose children had BESD seemed to be the least content.

When the results were analysed by the type of school attended, there was a clear contrast between how happy parents were with the provision in mainstream and mainstream with ARP. There were only two negative comments across these two types of provision whereas there were many more negative

comments about special school provision. Perhaps parents who choose a special school for their child have different or higher expectations of the schools or perhaps special schools are failing in some fundamental way to meet the needs of these children?

The majority of parents felt that their children were receiving the kind of schooling that best supports them, with lots of positives comments. Others indicated a degree of reserve *'although more resources, both hours and equipment would be helpful, the department do their best'* or *'enjoys school just wish it was a bit closer'* and *'sometimes teachers need more knowledge specifically about how to handle kids with ASD'*. The respondents who felt their child was not currently receiving the kind of schooling that best supported their needs fell into three broad views; those who felt that *academic needs* were not being met, *'he is not learning at a high enough level, school is too easy for him'*; those that felt that their *child's SEN* were not really being met *'been there nearly a year and still no speech therapy'*; and then those whose children just *do not fit* the system *'there doesn't seem to be any school that can meet all his needs'* or *'her abilities are somewhere between mainstream and special school and there is nowhere that fits that description.'*

## **Discussion**

Parents with children who have a SEN Statement are legally entitled to 'express a preference' on school choice applications. Survey findings (table 2) show that just over half the respondents had 'preferred' special schools for their children, in contrast to both the statutory guidance and government statistics, which show that 53% of students with a statement are in mainstream education Ofsted (2006) reported that it was the quality of the education rather the location,

mainstream or not, that really matters. The data supports these findings as there were many parents who were positive about the schools their children attended, whether these were mainstream, special or ARPs, regardless of whether they had felt as if the school was necessarily their choice or not.

Results also show (table 1) that 41 out of 65 families had children attending schools outside of their local communities. In every single category of SEN children were less likely to attend local schools; in the case of children with a statement for BESD all but one of them was educated away from their local community. Is this because, despite the legal provisions in place, the changes in attitude that that will make school more accepting of children with BESD have yet to follow and therefore parents have little choice, especially when it comes to behavioural issues?

Parents of children who had statements for CIN made up the biggest group of respondents (table 2), that were the least likely to feel as if they had had a choice. It could well have been this feeling of a lack of choice or perhaps other difficulties with regards to school placement that prompted them to complete the survey, as Whittaker (2007) suggests 'a higher response rate might intuitively be expected from 'dissatisfied' parents'. These were the parents identified by the House of Commons Education and Skills Committee (2006) report on Special Educational Needs as being the group whose frustration and upset with the failure of the (SEN) system needed the most urgent resolution.

When it came to factors that influenced school choice decisions specialist facilities and staff were highest on the list, so perhaps inevitable that more respondents 'preferred' special schools which in many ways can be seen as having more of both than the average mainstream school. Ainscow (1999)

suggests that for some parents a well-resourced special school may seem to be the 'safest' option for their child. This view could be supported by the survey results, as 59% of parents indicated that their child's SEN had completely influenced their decision on school choice. Previous research (Bagley & Woods, 1998) supports the survey findings and the idea of parents of children with SEN looking for caring schools. The implications for schools that may not wish to accommodate children with SEN statements are clear, West and Hind (2007) suggested that 'schools that had responsibilities for their own admissions had lower proportions of students with special educational needs' (p. 516).

Another dilemma surrounded the information and guidance they may or may not have received from various sources including the LA, previous schools, medical staff, parent support groups, friends or their personal research. The LA SEN team and previous places of education were most frequently mentioned (table 3) as places where parents got their guidance. Although the role of the LA seemed to be less positively viewed by respondents with many negative comments regarding school placement advice/guidance for children with a range of needs, perhaps the inevitable result of the LA being the body that awards statements and manages the finances of many schools and services? (Hodkinson, 2010). It will be interesting to see how the impending SEN Green Paper will impact on the relationship between parents of children with SEN and their LAs. In terms of the guidance received from the LA, just under half of respondents had not been provided with much guidance on school placement and their choices, especially when it came to special school provision, this kind of variance is difficult to understand, unacceptable and easily rectified. It was also interesting to note that the Parent Partnership, a support group set up for families of children with



SEN, funded by the LA but working at arm's length from them, was used by so few of the respondents, 4 out of 65 families.

When asked what they aspired to for their children, respondents favoured social skills and confidence over educational achievements. In keeping with Bernstein's (1971, 1996) ideas on the intrinsic-personal/social perspective, perhaps respondents were more interested in their children as people with likes and dislikes than perhaps parents whose children did not have SEN. In their evaluations of their children's current schooling respondents, bearing in mind that most of them indicated that they had felt as if they had, had a choice, were largely positive, however further research is needed to clarify the reasons behind these views. Early indications from the interview data suggests that perhaps the picture is less positive when looking at more than one LA.

When it came to choosing the same school again, respondents with children in special schools seemed to have some reservations and again the survey data was limited in being able to indicate whether this was due to their expectations of a special school would be like or other reasons such as their experience of previous schooling. Perhaps the most significant dilemma was which of their child's needs would be met by the school they 'chose' for them? Whilst many parents indicated that their children were making good progress others felt that some needs were just not being met. For some parents it seemed the dilemma was simply that the school that they thought would fit their child's needs best simply did not exist.

## **Limitations**

Although 65 families responded to the survey and a response rate of 17% for a postal survey is not without precedent, the demographics of the respondents

must be taken into account when considering the findings. The fact that  $\frac{3}{4}$  of respondents were between the ages of 41-50 and that 40% of participants were graduates does suggest that the findings may not be typical of parents of children with statements of SEN.

## **Conclusion**

The study aimed to find out how parents of children with SSEN made their decisions about school placement and how well the schools they chose provided for their child's needs. A review of the literature suggested that there is a basic conflict for LAs and schools between implementing inclusion, managing budgets and the continual government drive to push up standards in our schools. Parents who participated in the study were more likely to have chosen a special school for their child's education than parents nationally, the reasons behind their choices however remain far from clear cut, and there was some seemingly contradictory findings with some parents feeling that they had had little choice of school placement and then expressing satisfaction with the educational provision. The complexity of the data and the possible tensions in the way the parents talk about their satisfaction and choice shed light on the fact that it is not easy to read parents' views and feelings. It is evident however that the dichotomy between special versus mainstream is a false dichotomy as it is not the type of school, but the quality of the provision that makes a difference.

Although the power of LAs has reduced in recent years with regards to education as increasing numbers of schools become autonomous, there are some still some changes that the LA could implement, for example ensuring that all parents receive the necessary information about all schools in their area. The role of the Parent Partnership teams could be reviewed to ensure parents across the LA are

informed of their services and can engage with them. Schools, especially special schools, could do more to ensure they provide a more comprehensive package of services to meet the needs of children both academically and in terms of specialist provision, such as speech and language therapy. Presently however it seems as if these parents do not have any actual 'choice' when it comes to school placement, it is more a case of a dilemma between a special school that doesn't quite fit or a mainstream school that doesn't quite fit and may not even agree to offer a place. The reality of education in England for many families whose children have a statement of SEN is that nowhere actually fits.

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## Tables & figures

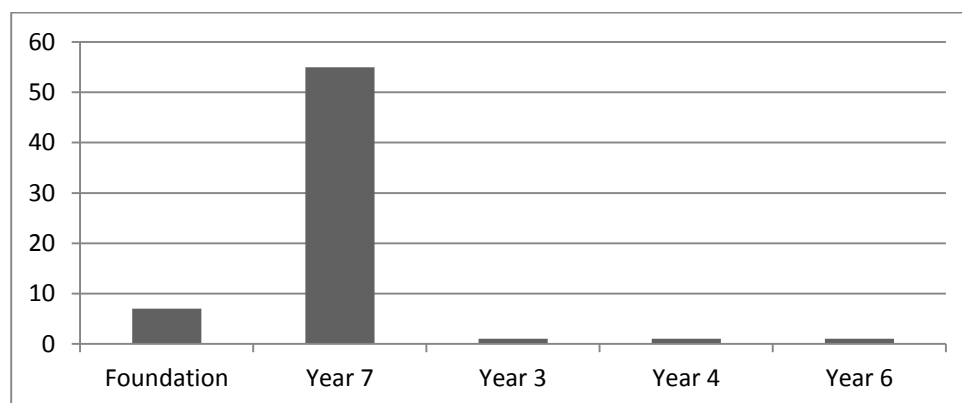


Figure 1 – ages of children

### Category of SEN

	Local school	Not local	Not specified	Total
Cognition & Learning Difficulty (CLD)	7	11		18
Behavioural Emotional & Social Development (BESD)	1	5		6
Communication & Interaction (CIN)	10	10	1	21
Sensory &/or Physical Needs (SPN)	4	11		15
Medical conditions (Medical)		1		1
Not specified	1	3		4
<b>Total</b>	<b>23</b>	<b>41</b>	<b>1</b>	<b>65</b>

Table 1 – categories of SEN

### Category of SEN

	Mainstream	Special	Main + ARP	Grammar	Total
Cognitive Learning Difficulty	5	12	1		18
Behavioural Emotional & Social Development		5	1		6

<b>Communication &amp; Interaction</b>	9	8	4		21
<b>Sensory &amp;/or Physical Needs</b>	6	7	1	1	15
<b>Medical conditions</b>			1		1
<b>Not specified</b>	1	1	2		4
<b>Total</b>	<b>21</b>	<b>33</b>	<b>10</b>	<b>1</b>	<b>65</b>

Table 2 – category of SEN & type of school attended

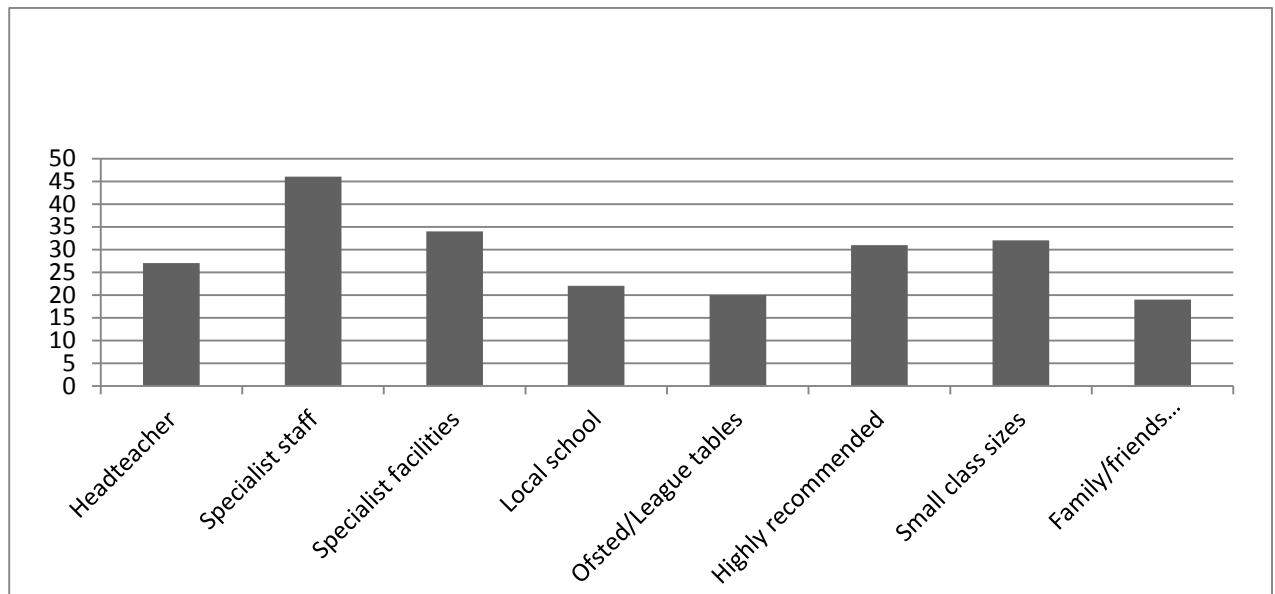


Figure 2 – key factors that influenced school choice

Category of SEN	Advice from Portage	Advice from Local Authority SEN team	Own Research	Advice from Friends	Advice from Parent Partnership	Advice from School/nursery	Advice from Local Authority	Advice from ED Psych	Advice from Paediatrician
Cognitive Learning Difficulty	1	6	2	2		6	4	2	4
Behavioural Emotional Social Development		2	1		1	3	1		
Communication Interaction Needs		10			1	9	5	5	5
Sensory &/or Physical Needs	2	8	2	2	1	5	3	4	2

Medical	1	1			1	1		1	
Not specified				1			1		
<b>Total</b>	<b>4</b>	<b>27</b>	<b>5</b>	<b>5</b>	<b>4</b>	<b>24</b>	<b>14</b>	<b>12</b>	<b>11</b>

Table 3 – where parents got advice from

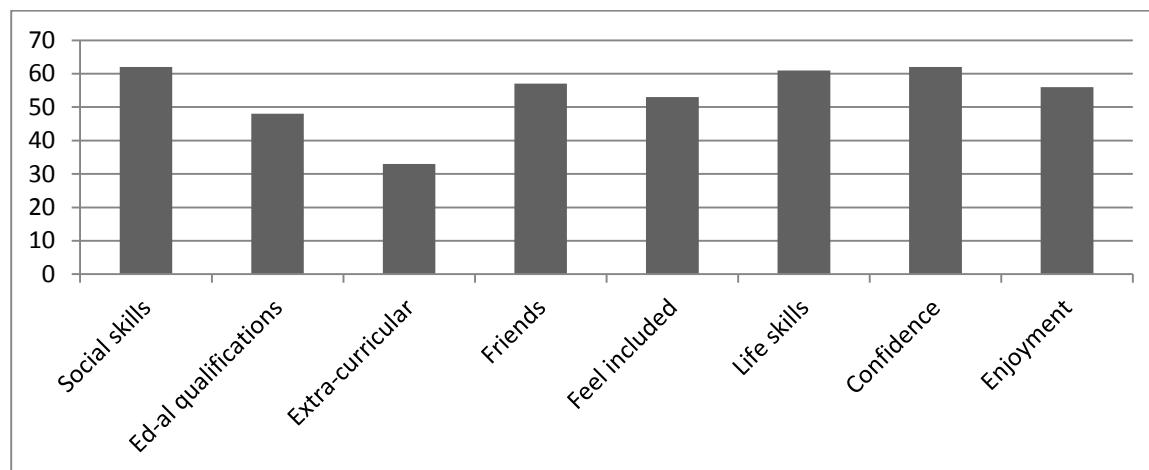


Figure 3 – what parents hope children would gain from schooling

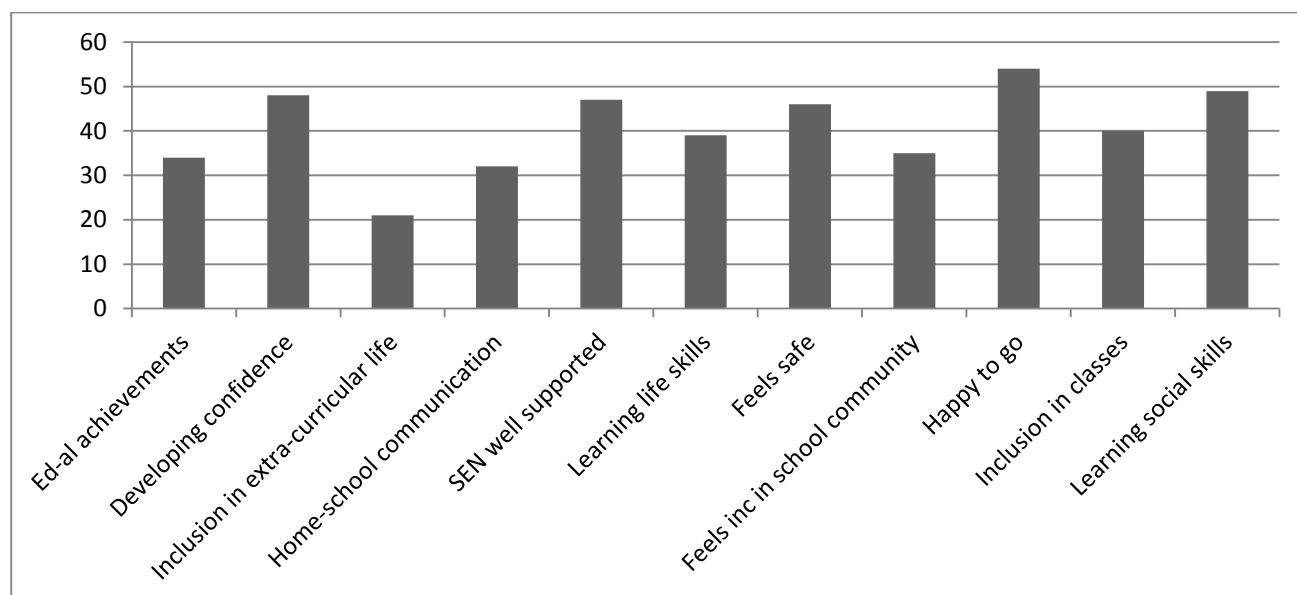


Figure 4 – positive aspects of schooling

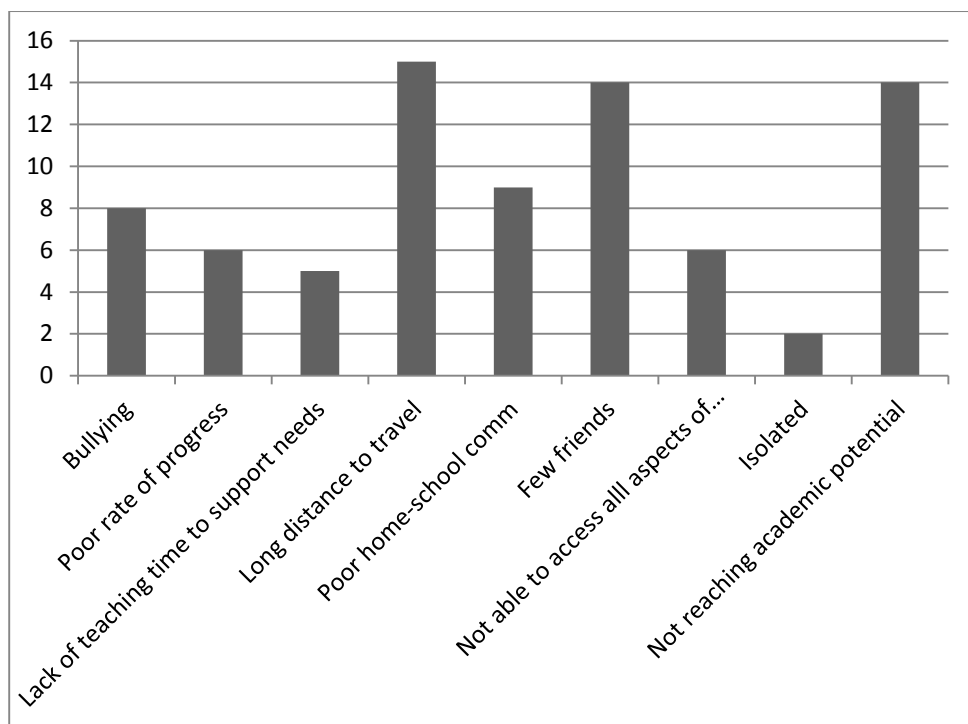


Figure 5- negative aspects of schooling