

# Fighting the Special Educational Needs Battle



*The way in which you discover your child has special educational needs is by no means predictable. For some parents it is clear, at birth, that their child will have special educational needs, but, for the majority of parents, they will not become aware of their child's needs until their child is older and not meeting the expected developmental milestones. For yet other parents it is not until their child's schooling is well under way that they become aware that their child is finding some aspects of learning difficult, or that in school, their child is behaving in a way that interferes with their learning.*

Children whose learning difficulties are linked to medical conditions will often be the ones who are identified early and educational input will begin as soon as there is a medical diagnosis. However, not all learning difficulties are directly linked to medical conditions and it will not be until the child starts their formal education that extra educational help can begin.

It may help to look at the way professionals describe children with Special Educational Needs (SEN), but it must be with the clear understanding that children are children, no matter what their educational needs, and they should never be described or talked about only in terms of labels that are attached to them by others for what are, essentially, only practical reasons.

Children may have learning difficulties that can be described as:

- **PROFOUND AND MULTIPLE** – who need a curriculum that helps them with their development.
- **SEVERE** – who need a curriculum with a large measure of developmental input.
- **MODERATE** – who need a normal curriculum that is made suitable for their individual learning difficulties. The word “moderate” is not used in its everyday meaning of “nothing to be concerned about”. It is used technically and indicates that the child finds learning significantly more difficult than other children of the same age.

- *SPECIFIC* – which means that the child has particular, specific areas of learning that they find difficult. Examples are dyslexia (difficulty reading), dyspraxia (difficulty with certain movements) and dyscalculia (difficulty with maths).
- *SENSORY* – which means the main difficulty is with vision, hearing or both.
- *COMMUNICATION* – where the problem is with speech and language.
- *BEHAVIOURAL* – where there are behavioural difficulties either with withdrawal or acting out.
- *PERVASIVE PERSONALITY DIFFICULTIES* – which are related to personality characteristics, such as autism or Asperger's syndrome.

Although not necessarily valid from a scientific perspective, it is important to acknowledge these descriptions, because they are used by special educational needs experts in their day to day work and they are found in the reports used by those professionals and educational bodies, who administer the budgets for children with special educational needs. In addition, and quite rightly, parents need to become expert in the needs of their own children and when they turn to the professionals and the voluntary organisations for help, it is by using these categories that they sound knowledgeable and “clued in” to what they are requesting.

There is nothing wrong in using a labelling approach, but there are things to think about if you stick too rigidly to one approach, without thinking of the possible drawbacks.

So what are the advantages of categories?

1. You do not have to keep describing your child's individual needs to everyone with whom you have contact; instead you use the shortcut provided by the label.
2. It is easier to build up your expertise if you stay within the particular category in which you think your child fits. The technical words often only relate to one category and so you begin to sound like an expert.
3. The voluntary organisations are nearly all formed around one particular group of children so there is an immediate feeling of support and shared problems to be overcome.
4. Other parents whose children are like yours often find an immediate and lasting empathy with you and so offer an invaluable network of help and support.
5. Education and Health Services are organised around these categories. There are special schools for each of the categories listed and this can be a great help in seeking a suitable educational placement. Having a label for a category sounds like a diagnosis and we are all used to being comforted by a diagnosis.
6. All the legal and official documents are written in terms of labels and this makes it seem more sensible to follow this format.

Given all these advantages, what possible reasons could there be for not wanting to use them? Let's take them one by one and consider any drawbacks there may be.

1. Labelling can be used to limit people. Children are first and foremost people, with all the rights that come with being a person. Children are entitled

to an education because they are people and all people have a right to an education. As soon as you label children, you run the risk of limiting what you expect of them as individual people. Examples of this thinking might be:

- Children with Down's Syndrome can't learn to read
- Autistic children can't join clubs
- Deaf children can't learn to talk and listen
- Dyslexic children reverse their letters
- Children with severe learning difficulties need special schooling.

In cases such as these, the label can act as a filter through which the child is seen and which then sets limits on what they can achieve.

2. Technical language can be used as if it is an exclusive language. Not knowing the right words can exclude some people and make others look artificially superior. Using the wrong technical word can be used as an excuse for putting people down when they are trying to explain what they want for their child. Professionals can use technical language to obscure the issues put to them and so not have to follow what the parents are requesting. Acronyms are especially beloved of the *in-crowd* as a way of excluding others. You get such absurdities as “Is your child ambulant?” Instead of does your child walk?
3. It is important to praise voluntary organisations because of the valuable work they do, but two questions ought to provoke some thought



on their approach in regards to the issue of labelling.

- What do parents do if there is no voluntary organisation for their child?
- Is it possible that some children are excluded from joining a particular voluntary group just because their label does not match?

4. Meeting up with other parents always seems like an excellent idea. Parents have a lot in common to talk about. However

meeting up with other parents because your children share the same label may be a way of reinforcing differences.

5. Legal and official documents are of necessity, describing procedures that meet the needs of the majority of people about whom they are written. Individuals rarely, if ever, fit neatly into what the legislation says and nothing is to be gained by making the child fit the legislation rather than the legislation made to assist in helping the child.

6. And lastly, perhaps the most dangerous reason. Bureaucrats who try to organise our lives as neatly and inexpensively as they can, much prefer to use categories than to look at individual needs. It is so much easier to put all the children from one category into one school, class or unit than to attempt to meet their needs on an individual basis and according to unique personal circumstances.

When it comes to describing your child's special educational needs there is one simple question to ask and to be answered.

"What can *my* child do and what can they not do?"

Answering this question does not depend on labels, jargon or obscure methodology, rather it can be asked of *any child at any time* and the answer provides the starting point for identifying any special educational needs and any special provision that might need to be made. Parents are not alone in being able to answer this question. Teachers are uniquely able to provide answers and in addition there are a number of professionals who are dedicated to answering this question about children:

- Educational Psychologists
- Speech and Language Therapists
- Occupational therapists
- Physiotherapists
- GPs
- Paediatricians

Perhaps we should pause to say that there can be problems with getting the question answered, not because the question is difficult, but because it might be difficult to find the people to ask.



The most common metaphor used by parents when describing their experiences in getting this question answered is a **battle** metaphor. Parents often say they have to “fight for everything they get” and they say it far too often for it not to be true. Why on earth should it be such a “fight?” If we are to understand the **battle** parents are facing, we need to know who are their “enemies” and who are the “allies”.

The “enemy” are people who:

- Get praised and rewarded for holding down budgets.
- Like to bamboozle others by talking in jargon that they hope will not be understood
- Like to tell you they stick to the rules and will not recognise exceptions, but will readily break the rules if they think it is their own interests; and not tell you.
- Make you feel guilty by saying how you are selfishly attempting to grab all the resources for just your child.
- Try to take away your choices by attempting to force you to take a special school placement or an inclusive placement or a unit placement as if that is your only choice.
- Who only consider what your child cannot do and ignore what they can do.
- Who say you cannot see the professionals named above because they are seeing children more in need than yours and there is too long a waiting list.

The “allies” are people who:

- Have the integrity to say what your child can and cannot do without thinking all the time about the budget implications.

- Talk in plain English.
- Attempt to see how the rules apply to your particular child and how they might best be interpreted in order to benefit your child.
- Praise you for attempting to do the best for your child.
- Recognise your right to choose a school for your child.
- Make every effort to involve other people and tell you what to do if things get bogged down in red tape and excuses.

If we are to ask “What can my child do?” then it is necessary to be clear what it is, in educational terms, that we want our children to be able to do? What really matters? Here again we can see the irrelevance of categories, because what we want for our children is the same regardless of categories. We want our children to:

- Enjoy being in school and be responsive to what their school offers.
- Develop the learning skills that they will need according to their ability.



- Learn to communicate effectively with others.
- Make friends and to be friendly.
- Learn to read.
- Learn to communicate by writing or word processing.
- Learn to understand how numbers work and how that understanding can be put to use.
- Learn about their place in the world through history and science.
- Learn and understand and enjoy cultural activities such as music, art and drama.
- Understand about relationships with others and the rules that help those relationships grow

and what to do if their relationships with others have gone wrong.

If your child cannot do these things in a way that is effective for them, then you are in a good position to start listing their special educational needs.

When you have decided what the needs are, it is then, and only then, that the educational provision to meet those needs can be described and used to develop a suitable educational programme.

It is only when all this has been thought about and decided upon that the question of placement can be addressed. Where you choose to have your child educated is a matter of your choice and you have this right in law.

The most useful document that describes all your rights and tells local authorities what rules they must follow is the **Special Educational Needs Code of Practice** (SEN Code of Practice). Every parent whose child may have special needs should have a copy. You then have a set of rules based on the law of the land to which everyone concerned with special needs must have regard. It is a free publication and can be easily obtained from the Department for Children, Schools and Families or downloaded from the teachernet website (see the end of article for the web address).

Some children with special educational needs, but not all, may benefit from having all their educational needs and the provision to meet those needs described formally in a



**Statement** of Special Educational Needs. The Code of Practice gives all the information you need to bring about a Statement for your child.

But what if you are told that you:

- Do not have a child with special needs, when you think you do.
- Your child is learning without any difficulty, when you know this is not true.
- Cannot have a Statement of Special Needs for your child.
- Cannot have the provision that you think your child must have to meet all their special needs.
- Cannot have the school of your choice.

First ask yourself what the reasons for the refusal might be. Are you being reasonable in what you are requesting and have you made it clear to the Local Authority what you want? Are you

up against the “enemy” as described above?

If you want to take matters further then you can seek a hearing at the **Special Educational Needs and Disability Tribunal (SENDIST)**. It is not difficult to apply to the Tribunal. Local Authorities are obliged to give you the address of the Tribunal if you want to make an application. (See end of article for web address). The Tribunal will follow the rules meticulously, according to the law and the Code of Practice. At the Tribunal you can be sure of a fair hearing and the ruling of the Tribunal must be followed by the Local Authority

To summarise, if you want help for your child with special needs, do the following:

- Find out what your child can and cannot do in school and out of school.
- Ask for help if you are not sure.

- Obtain a copy of the Special Educational Needs Code of Practice and read it.
- List each and every special educational need your child has.
- For each and every need find out what provision is available and ask for it.
- Ask regularly about the progress your child is making.
- If your child is not progressing then seek a Statement of Special Educational Needs.
- Appeal to the Special Educational Needs and Disability Tribunal if you are refused a Statement by your Local Authority.

## Further information

### SEN Code Of Practice

– Internet

<http://www.teachernet.gov.uk/docbank/index.cfm?id=3724>

– Hard copy

### Department for Children, Schools and Families (DCSF) Publications Centre:

Tel: 0845 60 222 60 or

Email: [dcsf@prolog.uk.com](mailto:dcsf@prolog.uk.com)

Address:

### Department for Children, Schools and Families (DCSF) Publications

PO Box 5050

Sherwood Park

Annesley

Nottingham

NG15 0DJ

**direct.gov.uk**, Special Needs Information for Parents

<http://www.direct.gov.uk/en/Parents/Schoolslearninganddevelopment/SpecialEducationalNeeds/index.htm>

**Special Educational Needs and Disability Tribunal**

<http://www.sendist.gov.uk/>