

Written evidence submitted by National Deaf Children's Society

Education Select Committee inquiry into the impact of Covid-19 on education and children's services

National Deaf Children's Society written evidence submission, May 2020

1. About us:

- 1.1. We are the National Deaf Children's Society, the leading charity for deaf children. We give expert support on childhood deafness, raise awareness and campaign for deaf children's rights, so they have the same opportunities as everyone else. There are over 50,000 deaf children in the UK. We're here for every deaf child who needs us – no matter what their level or type of deafness or how they communicate. We support deaf children, young people, and their families. We work with decision-makers and professionals to overcome the barriers that hold deaf children back.

2. Introduction:

- 2.1. Deaf children and young people already face significant educational barriers in life. The effects of the Covid-19 situation and 'lockdown' measures are presenting additional significant barriers for this group.
- 2.2. We know that, with the right support, deaf children and young people can achieve just as well as any other child or young person. Yet, action will need to be taken to ensure that deaf children and young people, as much as possible, continue to receive the support they need and are not further disadvantaged in the longer term.
- 2.3. To inform our submission, we have surveyed our members, receiving responses from 147 parents or relatives of deaf children (at the time of writing). We have also engaged closely with deaf young people on our Young People's Advisory Board, and experts working with deaf children across our organisation. At the time of writing, we have collected case studies from over 50 local authority specialist education services for deaf children and 8 special schools for deaf children. We are still gathering this information and we will submit this to the Committee as supplementary evidence.

3. Oral evidence:

- 3.1. We want the voices of deaf children, young people and their families to be heard by the Committee. We worked to facilitate a young people's session with the Committee in March 2019 and members of our Young People's Advisory Board would like to give evidence to the Committee for this inquiry. We also have parents of deaf children who would like to give evidence to the Committee. We would of course be very happy to give oral evidence as an organisation.

4. Summary of recommendations:

1. The Department for Education should review and oversee the development of an action plan to address the 'backlog' of children awaiting a formal diagnosis of deafness, who will need early

intervention support from specialist education support services once the crisis has passed. The Government should provide emergency funding as needed, particularly to ensure that intensive early intervention support can be provided to ameliorate the effects of late identification.

2. The Department has issued guidance on vulnerable children, including children with Education, Health and Care (EHC) plans. However, only around 20% of deaf children in England have an EHC Plan. The Department should publish separate guidance on support for disabled children. This guidance should:
 - a) set out expectations for how disabled children and their families should still be supported and have their needs met. This should include support for pre-school deaf children and support around transitions;
 - b) instruct local authorities and schools to make radio aids and other specialist equipment available to families to use at the home; and
 - c) instruct local authorities and schools to fund additional communication support if needed to access online teaching or learning.
3. In line with their duties under the Equality Act, the Department should carry out an assessment of the impact that reduced specialist support has had on disabled children, including deaf children, since the pandemic started. This impact assessment should be used to develop an action plan to ensure that disabled children 'catch up' and recover any lost progress, as much as possible.
4. The Department should widen the criteria for its equipment fund so that deaf and other disabled children can be provided with laptops/tablets and 4G routers where needed, enabling them to access online learning and remote support.
5. The Department must drive forward improvements in the accessibility of online learning materials. We recommend that the Department produce guidance for online education providers on accessibility for deaf and other disabled children and/or signpost to resources produced by others. The Department should consider providing additional funding to ensure existing content is accessible if capacity prevents them from doing so quickly. They should also ensure that accessibility is prioritised in any future commissioning of online resources.
6. The Department should commit to reversing the relaxation of SEND legislation prior to the full re-opening of early year settings, schools and colleges. In the meantime, the Department should also set out how it will monitor how these temporary powers are being used and what action will be taken against local authorities that appear to be abusing these powers. The Department should report on the impact that these legislative changes have had on children and young people.
7. The Department, working with other government departments, should develop an action plan to ensure that disabled young people, including deaf young people, are not left behind as a result of this crisis. This should involve addressing existing gaps in specialist and tailored careers support for deaf young people, as well as making sure there is a clear support journey for this group. The Department should also ensure that any wider initiatives around transitions are accessible and appropriate to disabled young people, and that this needs of this cohort are not an afterthought.
8. The Department should also publish guidance on support for disabled students in higher education. This should remind higher education institutions of their duties under the Equality Act to make reasonable adjustments, including in any online teaching or remote assessments. As part of this, the Department should be proactive in ensuring that higher education providers are fully aware of the actions they need to take to ensure that any online teaching is accessible to deaf students. The

Department should make clear that additional funding can be provided through Disabled Students Allowance if additional communication support, beyond what is normally provided, is required.

9. In terms of examinations:
 - a) The Department should require schools and colleges to be transparent about the evidence they have used to calculate grades and ranking for awarding qualifications.
 - b) Ofqual should ensure there is a meaningful and timely appeals process for students with disabilities who dispute the grades awarded to them due to cancellation of examinations.
 - c) Data should be collected by Ofqual which evaluates the calculated grades given to deaf candidates and compares those with outcomes from previous years. If there is disparity in outcomes then remedial action must be taken.
 - d) Clear guidance should be published by Ofqual for vocational qualification awarding bodies on developing adapted assessments which outlines practical steps that they should take to avoid disadvantaging groups at risk.
10. The Department should, in their guidance on school re-openings, set out clear expectations around how specialist support, including from teaching assistants and external specialists (such as Teachers of the Deaf), will be provided to disabled children. The Department should also monitor how the re-opening of schools is working in practice for children with SEND, including those with or without EHC Plans.
11. The temporary arrangements made to account for the pandemic must not be used as an excuse to sweep existing issues under the carpet, for example, urgent action is still required to address the long-term decline in numbers of qualified Teachers of the Deaf. We still expect the Government to respond fully to the recommendations of SEND Inquiry by the Education Committee and to complete the SEND Review in a way that truly responds to concerns from parents and children.
12. Lessons must be learnt from this period of significant change and future changes to education services must start with the premise that all children will benefit. The Department should confirm that there will be no future widespread shift to more permanent remote delivery of services and provision until and unless there has been a full assessment of the impact this has on all children with SEND, including deaf children.

5. Evidence:

- 5.1. In the following sections, we list our evidence of the impact of the Covid-19 pandemic and 'lockdown' measures on the education of deaf children and young people.
- 5.2. **Impact of late diagnosis of deafness:**
 - 5.2.1. The new-born hearing screening programme has been operating in many areas, but a proportion of babies have missed this screen due to programme closures, lack of staff or PPE at the time, or early discharge from maternity during the crisis. Audiology services have been closed to most face-to-face appointments and whilst audiologists have tried to see babies who are suspected of being deaf, this has not always been possible due to redeployment of staff or facilities, lack of PPE or Covid free facilities, or due to parental fear preventing them from taking their baby to the hospital for testing. This means that audiology services are unable to formally diagnose whether a child is deaf, following a referral from the new-born hearing screening or elsewhere. Although audiology

services are starting to re-open in some areas, there is now a significant waiting list. This will then have a knock-on impact on referrals to specialist education services that support deaf children in the home throughout the early years stage.

- 5.2.2. There is now a cohort of deaf children who will be diagnosed later in life than they would be usually with the risk that these children will not get vital support and the same opportunities from early intervention. This will result in delayed language and communication development. A number of specialist education services for deaf children have reported this to be a significant concern to them.

Recommendation:

The Department for Education should review and oversee the development of an action plan to address this backlog of children awaiting a formal diagnosis of deafness, once the crisis has passed. The Government should provide emergency funding as needed, particularly to ensure that intensive early intervention support can be provided to ameliorate the effects of late identification.

5.3. Issues around lack of specialist support:

- 5.3.1. Deaf children of all ages rely on support from specialist professionals such as Teachers of the Deaf, communication support workers, specialist teaching assistants, speech and language therapists and deaf role models. In addition, families also rely on support and advice about language and communication from Teachers of the Deaf, particularly in the early years. Many of these professionals have stopped routinely meeting with deaf children, young people and their families.
- 5.3.2. Whilst many local authority specialist education services for deaf children are continuing to provide support remotely, this is not available consistently across England. In many cases, there are good reasons for this – including redeployment of key staff, staff having to self-isolate, or issues around IT infrastructure. However, there is a concern that the crisis has simply amplified the existing postcode lottery in the quality of support that deaf children were receiving.
- 5.3.3. In addition, where support can be provided remotely, this may not be accessible to some deaf children unless additional communication support is provided, for example remote speech to text or sign language interpreters. Some families may not have computers/tablets to be able to access remote support.
- 5.3.4. The lack of specialist support for deaf children and the wider family is one of the most concerning issues for our members.

“It is really impacted on my education by not going into school it means I cannot meet my CSW (communication support worker) to help me understand the lessons the teachers gave me online.”
(Deaf young person)

“I worry with her no longer getting any therapy etc. all the progress she has made is going to be lost”
(Parent of deaf child)

“My daughter who has two cochlear implants really needs her speech and language teacher...She tells me I am not her teacher. I’ve asked for help in this, and have been told we can go on Skype, I don’t have the equipment to do this. So for now we just have to carry on struggling”. (Parent of a deaf child)

“My daughter is unable to have her speech and language sessions or her 1-2-1 sessions as per her SEND at school. There is no contact with her Teacher of the Deaf.” (Parent of a deaf child)

“Not having the Teacher for the Deaf available or the Communication Support Worker as both are crucial to supporting us with our children who are both deaf and one is slightly delayed.” (Parent of a deaf child)

5.3.5. Some families of deaf children are concerned that there may be further austerity or cuts in the future, due to the economic implications of Covid-19. It must not be forgotten that specialist education services for deaf children were already under immense strain due to a 15% reduction in the number of qualified Teachers of the Deaf since 2011.

“I’m quite worried that council cuts might mean we lose our Teacher of the Deaf”. (Parent of a deaf child).

5.4. Issues around lack of specialist equipment:

5.4.1. Deaf children may use specialist equipment – such as radio aids – in education. Radio aids are used with hearing aids and cochlear implants and help to amplify sound so that deaf children can hear speech more clearly, without background noise.

5.4.2. We believe that deaf children should be able to use radio aids at home. Some deaf children may benefit from the opportunity to use their radio aids to access online lessons (by connecting their radio aid to a computer) or to connect with family members.

5.4.3. Despite this, some local authorities have a policy of not allowing deaf children to take radio aids home and do not appear to have relaxed this policy in the current crisis. In our recent survey of parents, 46% reported that they had been unable to take home equipment, such as radio aids, that their child used in an education setting. This is unacceptable.

Recommendations:

The Department for Education has issued guidance on vulnerable children, including children with EHC Plans. However, only around 20% of deaf children in England have an EHC Plan. The Department should publish separate guidance on support for disabled children. This guidance should:

- set out expectations for how disabled children and their families should still be supported and have their needs met. This should include support for pre-school deaf children and support around transitions;
- instruct local authorities and schools to make radio aids and other specialist equipment available to families to use at the home; and
- instruct local authorities and schools to fund additional communication support if needed to access online teaching or learning.

In line with their duties under the Equality Act, the Department should carry out an assessment of the impact that reduced specialist support has had on disabled children, including deaf children, since the

pandemic started. This impact assessment should be used to develop an action plan to ensure that disabled children 'catch up' and recover any lost progress, as much as possible.

5.5. Accessibility issues in terms of online and remote learning:

5.5.1. Where children and young people are being provided with home learning materials, there are issues around whether they can access this content without their usual specialist support (for example, a communication support worker or specialist teaching assistant). The content is not always being differentiated for their specific learning needs.

"I don't know how to solve the problem at the moment the teachers give me learning I don't understand. Why is it that learning doesn't ever think about deaf people?" (Deaf young person)

"She gets frustrated at the videos from nursery as she struggles to lip-read the videos and understand" (Parent of deaf child)

"The work that xxx has been set is ridiculous, definitely has not been adapted to meet his needs" (Parent of deaf child)

"College assign an audio book every day. You couldn't make it up!" (Parent of a deaf child)

5.5.2. Where children and young people are being asked to engage in online teaching or learning, there are also significant issues around accessibility. For example, not all families have the necessary IT equipment at home. In addition, not all video content has subtitles or is translated into British Sign Language.

"Schools have been using more videos and online lectures to teach us, one example is Massolit which doesn't have subtitles on all videos, it's frustrating in usual situations but even more so when we are teaching ourselves as other students have access to more materials than deaf students do." (Deaf young person)

5.5.3. BBC Bitesize and the Oak National Academy have committed to making improvements. We have been working with Oak National Academy to provide subtitles and British Sign Language for their assemblies and other video content. However this has been at our own initiative, without any direct support from the Department for Education.

5.5.4. There is a concern that accessibility continues to be an afterthought and that the onus to remind others about this important issue seems to fall on relatively small charities. As far as we can tell, the importance of accessibility is not highlighted on government webpages about home learning for parents or professionals in England at this time. It is not clear to us what action has been taken by the Department for Education on this issue or if this is even considered to be a priority.

Recommendations:

The Department for Education should widen the criteria for its equipment fund so that deaf and other disabled children can be provided with laptops/tablets and 4G routers where needed, enabling them to access any online learning and remote support.

The Department must drive forward improvements in accessible online learning material. We recommend that the Department produce guidance for online education providers on accessibility for deaf and other disabled children and/or signpost to resources produced by others. The Department should consider providing additional funding to ensure existing content is accessible if capacity prevents them from doing so quickly. They should also ensure that accessibility is prioritised in any future commissioning of online resources.

5.6. Concerns around Education, Health and Care plans:

5.6.1. The Coronavirus Act gives the Government the power to issue a notice that effectively suspends the requirement on local authorities to provide the support set out in an EHC Plan. Instead, local authorities and schools can use 'reasonable endeavours' to ensure that any required support is provided. A notice has now been issued, whilst the Department for Education has also relaxed a number of the statutory timescales around EHC Plans.

5.6.2. The Department has set out guidance around this. However, it is unclear how the Department is monitoring how these powers are used, to ensure they are being used appropriately. We are concerned that some families have been given messages implying that the EHC Plan can be 'ignored'.

"No contact or access to most services. Falling behind with school work, been advised EHCP requirements do not have to be met currently. Deaf daughter is feeling very socially isolated." (Parent of a deaf child).

5.6.3. We are also concerned about how many times such a notice will continue to be issued by the Secretary of State and whether a date will be set for when such notices should stop being issued. We don't believe this power should be used unless it is absolutely necessary.

Recommendations:

The Department for Education should commit to reversing the relaxation of SEND legislation prior to the full re-opening of early years settings, schools and colleges.

In the meantime, the Department should also set out how it will monitor how these temporary powers are being used, and what action will be taken against local authorities that appear to be abusing these powers. The Department should report on the impact that these legislative changes have had on children and young people.

5.7. Transitions:

5.7.1. Deaf young people who need support with transitions and moving into the next phase of education or employment may be affected and may not be receiving the support required at this time. Deaf young people have told us that, before Covid-19, there were significant challenges in receiving specialist and tailored careers advice. There is a risk that the crisis will make a bad situation worse, resulting in many deaf young people falling through the net and significant future disadvantage for this cohort.

"I have received no communication from my Teacher of the Deaf and was meant to be seeing her this term to plan University applications and how to ensure the Unis I pick will be able to support me. My 6th form

will be doing our UCAS application with us online but they don't have the specialist knowledge about disability support.” (Deaf young person)

Recommendations:

The Department for Education, working with other government departments, should develop an action plan to ensure that disabled young people, including deaf young people, are not left behind as a result of this crisis. This should involve addressing existing gaps in specialist and tailored careers support for deaf young people, as well as making sure there is a clear support journey for this group.

The Department should ensure that any wider initiatives around transitions are accessible and appropriate to disabled young people, and that the needs of this cohort are not an afterthought.

5.8. Issues in higher education:

5.8.1. We are aware that many universities are still continuing remote lessons (such as online lectures) and that we may see a whole-scale shift to remote provision from September. Deaf students are likely to be disadvantaged by online teaching unless proactive reasonable adjustments are made. Some students may also require more communication support to be funded by the Disabled Students Allowance. It is unclear how flexible and responsive the Disabled Students Allowance will be.

5.8.2. A similar issue applies with the accessibility of any online assessments or exams. Whilst exams have been cancelled for schools and colleges, we understand that some universities are continuing some remote assessments in a way which isn't accessible for deaf young people. This puts these students at a significant disadvantage, which may be unlawful under the Equality Act.

“I had a young deaf person on a chat last week about problems with her dissertation advisor. No communicating, no organising meetings...She told me she received an email from said dissertation advisor, telling her that she was going to have a facetime or skype assessment conversation (counting towards her dissertation). The young person told him that she can't hear properly via skype or facetime, but he insisted that they have to do it this way due to corona virus.” (Staff member at the National Deaf Children's Society)

Recommendations:

The Department for Education should publish guidance on support for disabled students in higher education. This should remind higher education institutions of their duties under the Equality Act to make reasonable adjustments, including in any online teaching or remote assessments.

The Department should also be proactive in ensuring that higher education providers are fully aware of the actions they need to take to ensure that any online teaching is accessible to deaf students.

The Department should make clear that additional funding can be provided through the Disabled Students Allowance if additional communication support, beyond what is normally provided, is required.

5.9. Cancellation of examinations:

- 5.9.1. We are concerned that deaf young people may be disadvantaged by schools and colleges calculating student grades and ranking using evidence such as coursework, mock exams and classroom assessments. This evidence may have been collected in situations where the student did not have fair access to the assessment and the long term consequences of this would not have been known to the student at the time. For example, one deaf student reported to us having a mock music GCSE exam in a room with poor acoustics. Currently, there is no student appeal process available and there appears to be little accountability in place for the type of evidence used by schools and colleges.
- 5.9.2. The Equalities and Human Rights Commission has warned that the use of predicted grades could have a lasting effect on disabled pupils and have recommended that Ofqual takes additional steps to comply with the Public Sector Equality Duty.
- 5.9.3. For some vocational qualifications, calculated grades will also be used and the above concerns will apply. For other qualifications, it is expected an adapted assessment will take place. We are concerned that in the haste to create adapted, online/remote assessments awarding bodies will not consider the accessibility of these for all learners. For example, video materials will need to be subtitled and some students will require additional time.

“COVID 19 has meant all GCSEs have been cancelled and therefore the grades will be predicted off mock exam results and classwork. This means deaf students like myself are disadvantaged since it has been proven by the NDCS that nationally we get one grade lower than our hearing peers. This is evident by the constant struggle for deaf students to keep up with often inaccessible classwork and homework and non-Deaf aware teaching systems which has been causing us to fall far behind our hearing peers and therefore creating lower expectations from our teachers. This means that the final GCSE grades will be highly unfair and will poorly reflect on what deaf young people could have achieved. We could have had the chance to prove ourselves at the GCSE exam day by working hard and catching up with our peers but this has been stripped away from us.” (Deaf young person)

Recommendations:

The Department for Education should require schools and colleges to be transparent about the evidence they have used to calculate grades and ranking.

Ofqual should ensure there is a meaningful and timely appeals process for students with disabilities.

Data should be collected by Ofqual which evaluates the calculated grades given to deaf candidates and compares them with outcomes from previous years. If there is disparity in outcomes then we believe remedial action must be taken.

Clear guidance should be published by Ofqual for vocational qualification awarding bodies on developing adapted assessments which outlines practical steps that they should take to avoid disadvantaging groups at risk.

5.10. Re-opening of education settings:

- 5.10.1. The Government has announced a phased reopening of education settings from the 1st June. There is also a stronger encouragement that children with EHC plans should return to school if appropriate. As part of this, the Government has introduced new guidance to protect staff and

children at this time, including smaller classes and social distancing. This will impact on deaf children who have EHC Plans and on those deaf children who do not have EHC Plans but who fall into the eligible year groups.

5.10.2. Whilst we appreciate the public health measures for education settings are primarily designed to protect staff and children and minimise the risk of coronavirus spreading, it will still be important to anticipate how these arrangements may affect deaf children's access to learning and to consider in advance how any additional barriers created by them can be mitigated. At this time, we have two specific concerns:

5.10.3. The first is how deaf children will receive the specialist support they require (for example, teaching assistants and peripatetic Teacher of the Deaf support) in light of arrangements for social distancing within the classroom and any reductions in visits from external specialist professionals. At the time of writing, government guidance on the re-opening of education settings does not go into sufficient detail on how this should work, simply saying that education settings should carry out a risk assessment if a child has an EHC Plan and that they should work with external agencies and with parents to do this.

5.10.4. The second concerns the use of face masks or coverings by education professionals. Government advice is that the use of face masks or coverings is not recommended in education, except in limited circumstances. It is not our role to give a view either way on whether this is appropriate. However, it should be noted that the use of face masks and coverings in education would present significant challenges to how deaf children and young people access learning and could do significant harm to their wellbeing. If advice on face masks or coverings changes, we would urge the Government to seriously consider the practical implications of this for deaf children and young people.

Recommendations:

The Department for Education should in their guidance on school re-openings set out clear expectations around how specialist support, including from teaching assistants and external specialists (such as Teachers of the Deaf), will be provided to disabled children.

The Department should also monitor how the re-opening of schools is working in practice for children with SEND, including those with or without EHC Plans.

5.11. Lessons learned during the pandemic:

5.11.1. A number of local authorities have told us about the positives about new virtual ways of working. For example, one service told us that virtual meetings between Teachers of the Deaf and SENCOs saved time and enabled them to carry out more 'visits'.

5.11.2. At the same time, services were clear that such virtual meetings would not work well in all cases. In particular, face-to-face support was seen as better for:

- Meeting families of newly identified deaf children for the first time.
- Supporting families that are less engaged or where more hands-on support is needed.
- Where it would be helpful for a Teacher of the Deaf to model what effective practice looks like.
- Carrying out some assessments, including speech and listening assessments.

5.11.3. Virtual classrooms also had their challenges for deaf children:

- Communication barriers through not being able to listen/see their teacher in 3D. Risk of sub-optimal sound.
- Increased 'fatigue' for deaf children have to listen/watch a screen for long periods of time.
- Reduced opportunities for hands-on learning and modelling.
- Reduced opportunities for peer support and socialisation, as well as incidental conversations with teachers. A risk of further isolation.

5.12. SEND Review:

5.12.1. The current status of the SEND Review is unclear. Many of the issues raised in the SEND Inquiry by the Education Select Committee have worsened, many remain, and many others may return.

5.12.2. Services have reported to us that the pandemic has magnified existing challenges that they were already grappling with. These include challenges around recruiting qualified Teachers of the Deaf – in light of a 15% reduction since 2011 – and continuing to support deaf children with a depleted workforce (particularly, if staff were unwell themselves or self-isolating/shielding). Separately, the impact of cuts to SEND services since 2010 is still felt heavily by many services. It is frustrating that while many services are going above and beyond to support deaf children, the Department have still not yet taken the urgent action necessary to address fundamental problems facing the specialist workforce.

5.12.3. The Department must seize the opportunity to 'build back better', taking forward the Committee's recommendations from its SEND Inquiry and completing the SEND Review in a way that truly responds to the concerns from parents and children.

Recommendations:

The temporary arrangements made to account for the pandemic must not be used as an excuse to sweep existing issues under the carpet, for example, urgent action is still required to address the long-term decline in numbers of qualified Teachers of the Deaf. We still expect the Government to respond fully to the recommendations of the SEND Inquiry by the Education Select Committee and to complete the SEND Review in a way that truly responds to the concerns from parents and children.

Lessons must be learnt from this period of significant change and future changes to education services must start with the premise that all children will benefit. The Department should confirm that there will be no future widespread shift to more permanent remote delivery of services and provision until and unless there has been a full assessment of the impact this has on all children with SEND, including deaf children.

6. Contact for more information:

- 6.1. If you would like additional information from deaf young people and families on how Covid-19 is affecting them please contact Sally Etchells, Government Relations and Partnerships Advisor at the National Deaf Children's Society, on sally.etchells@ndcs.org.uk.