



Do disabled children and young people have equal access to education and childcare?

Written submission by Learning Disability Wales (LDW)

Learning Disability Wales is an all-Wales membership organisation supporting organisations that work with people who have a learning disability. We are also a member of TSANA group who will be giving evidence. www.ldw.org.uk

In this paper we have given several examples of bad practice however we acknowledge that there is also great practice around Wales.

In our submission we will cover 3 topics. We have talked with other organisations providing evidence and have chosen these areas of concern in order not to duplicate.

Definition of 'inclusive education'

In Wales there are many different understandings of the term 'inclusive education'. We have a range of provision for children and young people who have a learning disability and/or are neurodivergent. From special schools, nurseries, inclusion units, mainstream with support, mainstream without support, residential, home schooling, pupil referral units etc. Many settings will report their 'inclusive approach' to education but we do not have an agreed universal definition of what that is.

Learning Disability Wales believes that with the right support children should be able to attend their local school, but we recognise that this is not achievable and safe for many disabled children until there has been mass reform in how we think about and provide education for all children in Wales.

It is also true that we have seen a year-on-year rise in the number of children attending special schools and a decline in disabled children attending mainstream schools. The EHRC reported on this regression in their report in 2021: <https://humanrightstracker.com/en/progress-assessment/inclusive-education-welsh-government-assessment/>

We are also aware that a very high proportion of the children who have been subject to school exclusions in Wales are children who have additional learning needs, particularly those in special schools. EHRC report 2021: <https://humanrightstracker.com/en/progress-assessment/school-exclusions-and-managing-challenging-behaviour-welsh-government-assessment-2/>

LDW currently leads on an employment programme for young people with a learning disability and/or autism age 16-25. In order to do this, the [Engage to Change](#) project works closely with employers throughout Wales. Many of those employers will not have had direct contact with young disabled people within their own educational experience and many hold negative and/or stereotypical views about a disabled person's ability to be employed. This is a direct consequence of not having inclusive education in Wales.

Unconscious bias, 'othering' and ableism that exist within the educational community

One of the fundamental features of mainstream schools and provision in Wales is the emphasis that is placed on academic achievement. This emphasis is built on what is perceived as beneficial for the majority of children and those without additional learning needs. We measure success on GCSE outcomes with a standardisation of 5 grade Cs and above being the marker for achievement. Most children with a learning disability will never take a GCSE or will take at most 1 or 2. They will therefore leave the education system with no marker against their achievements. We are measuring children who have a learning disability on their ability to academically achieve - one of the things they find most challenging. The system will argue that by not entering these children into GCSEs they are not held against that marker. However, they then become insignificant when schools are measured in that way and planning and design focuses solely on those taking GCSEs (or equivalent qualifications).

We regularly hear about the challenges teachers face in being able to be dynamic enough in their planning and teaching to support 30 children in a class with very differing needs. We introduce additional support but we never look at reducing the class numbers to ensure there are inclusive teaching environments.

There are many examples of 'othering' children who have a learning disability. There is a huge lack of understanding about children who have a learning disability and/or are neurodivergent. In order to challenge this, we have to make significant changes. Some of the enquiries we have had in the last month include the following:

Case 1 - A child who is currently being assessed for having a learning disability being told off in class for having a loud voice. When the learning assistant told off the child, the child placed their fingers in their ears as they feel anxious about disappointing people. They were then given detention for

putting their fingers in their ears. This child is regularly bullied by other children for using methods to manage their anxiety such as stimming. Previously they have been advised by a teacher not to use ear defenders as it will make the other children want to bully them more. We need to educate school staff and children on why someone may stim or use other self-regulating methods and reduce the stigma around these.

Case 2 – A child without any ALN was chatting to their friend just before a test. The teacher told the other child that they hoped they were not expecting answers from child A as they would be in trouble relying on them. This adds to the stigma around being not as academic as your peers and ensures that children with a learning disability are further marginalised.

There is often a tendency in schools towards recognising that children have ALN and then putting in support designed to retrain behaviours that may be viewed as character or personality flaws when they are in fact characteristics of a child's diagnosis.

Use of words that are commonplace in society: Rise in use of words like dunce, retard, idiot, mong, spaz, moron or 'special'. These words are not challenged.

Reducing restrictive practices in schools and settings

In 2021 the EHRC reported that Welsh Government had made no progress in this area. Children with ALN continue to be disproportionately likely to be excluded from schools and 'special schools' have the highest rate of fixed-term exclusions of all types of school. Also, WG has still not responded to the EHRC's recommendation to place a legal duty on schools to record the use of restraint within schools: [Inclusive education – Welsh Government assessment | Human Rights Tracker](#)

We now have a [framework in Wales for reducing restrictive practice](#) that can be applied to work in schools. We are seeing more and more young people with a learning disability and/or neurodivergence entering mental health units on becoming adults as behaviours that challenge have not been supported well in schools and have resulted in exclusions.

We currently have young Welsh people who have been sectioned and are in mental health hospitals because they have a learning disability and/or autism and local authorities do not have the right support systems in place. These crises rarely develop overnight and with good support throughout school life and early years these can potentially be avoided.