

A VOICE FOR THE INCLUSION MOVEMENT IN THE UK



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A voice for the UK inclusion movement

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Cover image: 'Lived experiences of Black/Global Majority Disabled pupils in education' report cover © ALLFIE 2024/Pen Mendonca

Editorial

Welcome to Inclusion Now 69, with Summer 2024 inclusive education news.

We now have a Labour Government who, in their manifesto, stated for children and Young people labelled with SEND: "Labour will take a community-wide approach, improving inclusivity and expertise in mainstream schools", and went on to commit that: "We will make sure admissions decisions account for the needs of communities and require all schools to co-operate with their local authority on school admissions, SEND inclusion, and place planning". This new approach is certainly needed after the last 18 years (including 4 years of the last Labour Government), which could be characterised as a period of rising exclusion.

As the articles in this issue amply demonstrate, the Inclusion Movement has the tools, knowledge and experience to help build an alternative inclusive school system in England.

The latest English SEND Data from January 2024 shows, 4.8% of all pupils now have an Education Health and Care Plan, which was aimed at only 2% originally. Increasingly, recipients are segregated in expensive private provision that is bankrupting the education budget. But numbers with SEND Support are also rising against a background of real term cuts in schools. 13.6% or 1,238,851 are on School Support. Here there is also a strong link to child poverty, which Labour want to tackle.

Previous periods of Labour in power have taught us we will need to build a massive campaign in the community. This will be parents, teachers, youth, schools and local authorities pushing the Government to reverse current practice and bring in a period of inclusive education practice.

By Richard Rieser, [World of Inclusion](#)

The Children and Families Act 2014 Ten Years On: Is Government Working Against the Presumption of Mainstream Education?



By Edmore Masendeke, Policy and Research Officer at the Alliance for Inclusive Education (ALLFIE)

"Ensuring education for all in mainstream settings promotes social justice, citizenship, and equity for Disabled children and Young people. Over the past decade, efforts to ensure that Disabled children and Young people are educated in mainstream settings have been hampered by increased investment in special school places, less spending on support and the failure of mainstream schools to be inclusive."

This year marks the 10th Anniversary of the [Children and Families Act 2014](#). The Act introduced the 'presumption of mainstream education', requiring local authorities to ensure that Disabled children and Young people, including those labelled with special education needs, are educated in mainstream settings. The Act also replaced statements of Special Education Needs (statements of SEN) with Education, Health and Care plans (EHC plans). This reform was intended to ensure that Disabled children and Young people receive more holistic assessments and support from local authorities, the National Health Services and other stakeholders. Together, these provisions should have improved Disabled children and Young people's access to education and their experiences in mainstream settings.

On the contrary, today, ten years on, too many Disabled children and Young people are structurally and systematically excluded from mainstream schools. Some mainstream schools do not even have the resources or desire to include Disabled children and Young people. Meanwhile, the Government has failed to adequately support the education of Disabled children and Young people in mainstream settings. It has also failed to address the intersectional experiences of Disabled children and Young people, resulting in further marginalisation. This has been highlighted in ALLFIE's recent research on [lived experiences of Black and Global Majority Disabled pupils in education](#). In fact, many of the Government's actions over the past ten years appear as though it is working against the 'presumption of mainstream education'. Is it?

Since 2014, when the Act came into force, more special schools have been built, the proportion of pupils labelled SEND (special education

Image: Edmore Masendeke, ALLFIE's Policy and Research Officer

needs and disabilities) attending special schools, alternative provisions or excluded from mainstream education has grown and SEND budgets have reduced in real terms. In addition, Disabled children and Young people have been driven out of mainstream schools due to reasons such as league tables and inaccessible curriculum and assessment techniques. This article discusses how each of these issues has contributed to Disabled children and Young people’s exclusion from mainstream settings.

As I discuss these issues, it is also important to remember that this year marks the 30th anniversary of the [Salamanca Statement on Inclusion in Education](#). The Salamanca Statement recognised that all children should be included in mainstream education settings: “All children should learn together, wherever possible, regardless of any difficulties or differences they may have. Inclusive schools must recognise and respond to the diverse needs of their students.” This was a clear call for countries around the world to adopt more inclusive education systems.

Building New Special Schools and Increasing Alternative Provisions

The drive to build new special schools began before the Children and Families Act 2014 was enacted. The [Government has](#) opened 108 new special schools since 2010 and plans to open another 93 in the future. Thus, the [Government continues to invest](#) in the construction and maintenance of special schools, having made a commitment to invest £2.6 billion for local authorities to open 133 new free special schools between 2022 and 2025. In [May 2024, the Government announced](#) the opening of 16 new special schools for over 2,000 Disabled children.

In addition to more pupils attending special schools, a growing number of Disabled children and Young people are attending alternative provisions or being excluded from mainstream education. Disabled children and Young people are overrepresented among those in [Pupil Referral Units \(PRUs\)](#) and [Education Other Than at School \(EOTAS\)](#).

Additionally, there were 1,260 pupils with EHCPs of compulsory school age not in education and more than 15,000 Young people with EHCPs were not in education, employment, or training (NEET). [This data](#) needs to be approached with care as it does not cover all children and Young people labelled with SEND. It just covers those with EHCPs, representing about a third of them.

Resourcing Issues for EHC Plans

Inadequate funding for the implementation of the 2014 legislation has been an issue from the start. Although the age range of Disabled children and Young people to be supported by local and health authorities (through EHC plans) was broadened from 3-16 to 0-25, the SEND budget remained the same until five years later. The Act also shifted responsibility for resourcing of SEN support from local authorities to schools, reducing the support available in mainstream schools, particularly for children and Young people without EHC plans. Consequently, demand for EHC plans have increased in recent years as it has become the only way for some children and Young people to access support in mainstream settings.

In the analysis of the Department for Education’s (DfE’s) latest [annual statistical summary of Education, Health and Care Plans](#) (EHCPs) in England, [Matt Keer noted that](#):

- The number of children and Young people labelled with SEND who get support through a statutory plan has more than doubled since the SEND reforms were launched in September 2014.
- In mid-January 2024, there were 575,963 active EHCPs, 11% more than last year.
- In the first few years after the 2014 reforms, most of this growth was down to the expansion of plans in the post-16 sector. **These days, the growth is largest amongst school-aged children** - not just in primary, but also in secondary too.

[Keer also noted that](#) the number of pupils with EHC plans grew faster in mainstream schools than in special schools in 2023. In January 2024, the number of pupils with EHCPs in mainstream schools rose by 17% on the previous year, while

the number of pupils with EHCPs in special schools rose by 8% on the previous year. The growth in demand for EHC plans among school-aged children can thus be partially attributed to the dwindling state of SEN support in mainstream schools and the creation of new state special school placements.

Systemic Issues

Due to inadequate funding from the Government, [most local authorities have financial deficits in their overall education budgets](#) – known as Dedicated Schools Grant (DSG) – and are failing to meet the rising demand for EHC plans and to provide support to Disabled children and Young people with EHC plans. The Department for Education (DfE) forces local authorities with the largest DSG deficits to address their spending through the [Safety Valve](#) and the [Delivering Better Value](#) programmes. These programmes require local authorities to cut spending on SEND provisions and reduce the number of EHC plans approvals. This is concerning as the number of children and Young people with EHC plans is rising and local authorities are already failing to meet this demand. [Keer noted](#) that local authorities receiving support under these programmes were slightly more likely to refuse than other local authorities and almost all of them had higher EHC needs assessment refusal rates in January 2024 than they did the previous year. Related to this, [a report by Pro Bono Economics](#) revealed that more than £60m of public funds was spent on SEND tribunals between 2021 to 2022 and councils lost 96% of these court disputes. These funds could have been used to support more children and Young people with EHC plans in mainstream settings instead.

Driving Disabled children and Young people out of mainstream settings

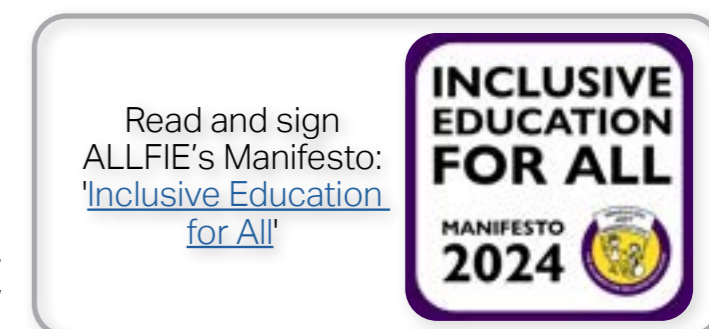
Over the past decade, mainstream schools have also become less welcoming and more hostile to Disabled children and Young people as they strive to improve standards. Schools have increasingly faced a lot of pressure to maintain their status on league tables, including through reducing absenteeism levels after COVID-19. This has led to increased exclusions/

off-rolling (removing a pupil from school without using permanent exclusion, when this is in the interests of the school rather than the best interests of the pupil) of Disabled children and Young people. These practices contradict the child’s human right to education under both domestic law and international treaties, such as the UN Convention on the Rights of Persons with Disabilities (UNCRPD) and the UN Convention on the Rights of the Child (UNCRC).

Another factor that has contributed to Disabled children and Young people’s exclusion from mainstream settings is the curriculum and how it is assessed. The curriculum is inaccessible, linear and focused on equipping pupils for productivity and international competitiveness. This is what is behind the Government’s plan to replace A levels and T levels with a Baccalaureate-style qualification called the [Advanced British Standard](#) in England. The introduction of this qualification is thus likely to worsen the exclusion of Disabled children and Young people in education.

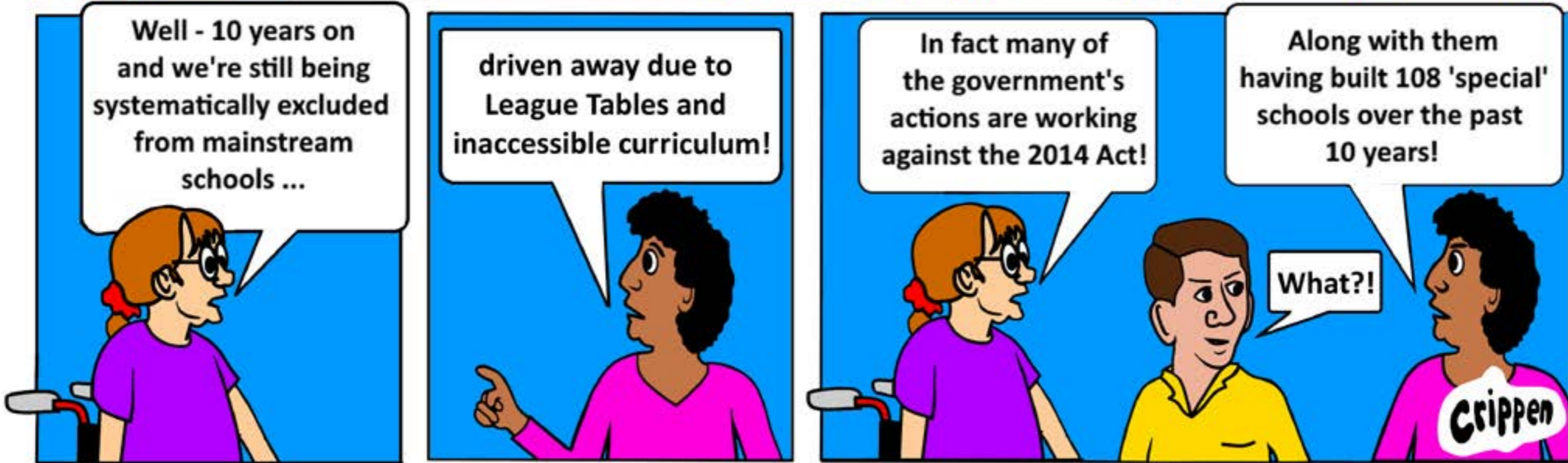
Education for All

Ensuring education for all in mainstream settings promotes social justice, citizenship, and equity for Disabled children and Young people. Over the past decade, efforts to ensure that Disabled children and Young people are educated in mainstream settings have been hampered by increased investment in special school places, less spending on support and the failure of mainstream schools to be inclusive. This has clearly undermined the ‘presumption to mainstream education’ enshrined in the Children and Families Act 2014 and, more importantly, goes against Article 24 of the UN Convention on the Rights of Persons with Disabilities which the UK Government ratified in 2009.



ALT TEXT

The Children and Families Act (2014) - Ten Years On



Mount Stuart Primary School: “Inclusive education is an entitlement”

ALLFIE’s Yewande Akintelu-Ominiya (Our Voice Project Youth Officer), and Michelle Daley (Director), interview Helen Borley, Headteacher at Mount Stuart Primary School.

The BBC documentary [Inseparable Sisters](#) follows the journey of Marieme and Ndeye, 7-year-old conjoined twins who moved from Senegal to Cardiff with their father, Ibrahima. In the documentary we see how inclusive education isn’t just about life in school but how it positively influences the community outside it. Marieme and Ndeye’s story highlights the importance of liberated leadership, collaborative efforts, and community-centred values of belonging. Their experience at Mount Stuart Primary School proves how the school embraces uniqueness as beauty and understands how intersectional experiences and inclusivity benefit every member of the school community.

On April 16, 2024, Yewande Akintelu-Omoniya and Michelle Daley met with Headteacher Helen Borley at Mount Stuart Primary School. We discussed Helen’s role in school leadership and strategies for enabling Marieme, Ndeye, and other Disabled pupils to have a liberating and enriching experience.

It was a great pleasure meeting with Helen Borley, especially given the ongoing concerns about how the education system views Disabled children and Young people as a ‘problem’. An increasing number of Disabled children and Young people are missing out on inclusive education in mainstream settings due to structural and systemic barriers, which is very disappointing. However, we were keen to learn how Mount Stuart Primary School has enabled Marieme and Ndeye to feel included and valued through their inclusive practices.

In our introduction, we wanted to find out more about Helen Borley’s background and how she got into promoting inclusive education. Helen has extensive experience as a teacher and headteacher, working in various schools in and out of London before moving to Cardiff in 2017. In addition to her role at Mount Stuart Primary School, she is actively engaged in different areas of education and serves as a Peer Inspector in Wales.

During our discussion, Helen explained the differences between school inspections in Wales and England, carried out by Estyn and Ofsted respectively. She emphasised that Estyn takes a more collaborative approach - it’s about “doing with” the schools, rather than “doing to” them like Ofsted, which can feel more like an audit of leadership and management.



Image: Lesson in the classroom at Mount Stuart Primary School

We asked Helen what motivated her to develop an interest in inclusive education?

“I became a SENCo in Southampton. It was a diverse school... [a] school with a lot of challenge. With a very high proportion of children with additional needs. It was there that I really started to do my research, my reading around the subject... it has helped shape my vision of what I think education should be.”

Helen’s experiences have reinforced the importance of consistent expectations for inclusion, directing her towards improving the schooling experience for every child in the school that she leads.

Mount Stuart Primary School

[Mount Stuart Primary School](#) is in Butetown, South Cardiff, known for its historic docks. Helen Borley, described it as “the oldest Global Majority community in Europe, with over 400 years of history.” She further elaborated on the socioeconomic background of the area, noting the high levels of poverty. “Our school reflects this diversity; 95% of the children come from Global Majority backgrounds. We have 45 different ethnicities and 43 languages spoken. 75% of our students speak a language other than English at home.”

Helen also mentioned that the school has “Four Disabled children, who are either visually impaired or wheelchair users.” There are “additional needs in classrooms over and above 25% of the 450 that we have on roll.” This means that there “will be children in every classroom with some kind of level of [additional] learning need.”

The [BBC documentary](#) focuses on Marieme and Ndeye’s experiences as conjoined twins but also shared their life at Mount Stuart Primary School and their relationships with other children at the school. ALLFIE, was particularly interested in Marieme and Ndeye’s school experiences.

Combating attitudinal barriers & fears

Helen explained that Marieme and Ndeye started the school in Nursery, supported with two assistants throughout the day. She also described how the school facilitated their transition from reception to year 1.



In [the documentary](#) Helen shared her initial apprehension about enrolling Marieme and Ndeye, influenced by her own concerns and the concerns of medical professionals. She recalls attending a “multidisciplinary team meeting” at the hospital, where discussions about palliative care and life expectancy were deeply distressing for her and her colleague. Helen said, “I remember coming out [of the meeting] and I’m not an emotional person at all it takes a lot to make me cry. I came out with [my colleague] and literally we sat in my car, and we sobbed for probably a good 10 minutes. We sat and we sobbed, and we went, ‘that was just horrific’, and it was because the information we were given was just horrific, because they [medics] didn’t know about the children’s strength. They [medics] didn’t know their capacity to get over an infection. They [medics] didn’t know about their physiology.”

Image: Mount Stuart Primary School, external



Educational support services and provisions

We wanted to learn about how Wales supports Disabled pupils in education. Helen explained that “in Wales, instead of EHCPs, we use the ALNET Bill, which is currently undergoing reforms.” She further elaborated that “at Mount Stuart, about 18 children have Individual Development Plans (IDPs). Helen described IDPs as being “run by the school, and they are for children with identified additional learning. To be deemed to have a need that is different from and in addition to anything you would normally offer in a classroom. So, for example, a child may have a diagnosis of autism, or a child may have ADHD, or it may be that they have Global Delay. That system is then supported by the Cardiff Council who have to then agree with the school that the child has identified an ALN (Additional Learning Need). That then goes to a panel and the children are given support via a team. It might be a Learning Team, it might be an Autism Team, it might be a Speech and Language Team, it might be Disability Team. It might be whatever team they are most suited to.”

Helen provided context to ALNET Bill reforms including funding changes. “If a child has an identified, agreed ALN they are not automatically given funding to meet those additional needs.” She further explained that “At the moment, we are given a pot of money that we are to use with all children with ALN, not just those with IDPs, to ensure they make progress. Now that is complex because for some children the funding is ringfenced, so for children with an identified Disability funding is ringfenced. So a child with VI [visual impairment] or a wheelchair user they get ringfenced funding which is separate to that.”

She noted the school’s challenges: “as with all pots of money it does not meet the needs that you have in the school so inevitably, there is a fairly large amount of budget that is spent on supporting learning in classrooms, either by additional adults... usually, or additional support via interventions or reading support or emotional and social support.”

In addition to addressing their learning support, medical requirements and “conducting thorough risk assessments”, Helen ensured that every teacher spoke to their students about Marieme and Ndeye’s attendance in the school. She said, “We got every teacher to talk to their class about Marieme and Ndeye’s being in the main school and that they’re two children who are joined in the middle but are just two children. The only issue we have had are [new] children who join the school ... and that’s just a conversation with those children.”

The school’s familiarity with diversity explains why Marieme and Ndeye’s inclusion was viewed positively and welcomed. Helen also highlighted that Estyn’s inspection focuses on “helping schools shape their future direction but also emphasises the need to ensure all children are included and making progress.” Inclusivity is central to Mount Stuart Primary School’s ethos. Helen said, “we wrote the vision statement collectively and collaboratively. We believe that children should come to their local school and whatever barrier there is for a child to come to the local school is not the child’s fault, the child is not to blame.” She continued to say, “my view, is about finding ways to eliminate those barriers.”

School Leadership Practices and Strategies

As we finished our discussion, we asked Helen what advice she would give to new Headteachers on how to build an inclusive educational environment for every child. Here are her thoughts:

- **Having a vision:** “A new Headteacher should work on their vision and what they want their school to be. Inclusivity, to me, has to be at the centre of that because children have to be at the centre of that.”
- **Personal journey of leadership:** “You go back to finding those models to make it work. It’s not strong enough that people say it’s an inclusive school, where’s your proof that you’re an inclusive school? What have you done to include every child? Headship and leadership, a lot of it is such a personal journey.”
- **Driven by a moral decision:** “Inclusivity comes from the top. It comes from an ethos of, whether it’s the right thing to do. That’s a moral decision. I’d like to think my moral compass is quite strong and is a strength of my own leadership.”
- **Believing and Ethos:** “So much comes from the ethos that you set. If you set an ethos of, we can do this rather than you can’t do this - that’s where you start. They’ve got to believe it first.”
- **Communication:** “What you communicate is that this is the school that we are, and we welcome as many children that we can accept. We adapt our practice to teach the children that are in front of us whether that be dyslexia, or whether that be a physical impairment or whether that be a behavioural issue. Those are things that, as a school, we have a duty to do.”
- **Got to Matter:** “It’s got to matter to them at a personal and professional level. Because

you do meet Headteachers who say, ‘oh no, we don’t do special needs’, and to me, that’s a moral compass [issue] because no matter how difficult it is, if it’s the right thing you do it, however hard it is.”

- **Doing the right thing:** “Sometimes it’s really hard but actually you’ve still got to do it because it’s right. For me, it’s about having that moral compass and having the thought that it’s the right thing to do, and that ethos that it’s a school, and we’re here for children, not that it’s an easy job. Inclusive education is an entitlement.”
- **Embedding values:** “As a Head, you’ve got to share that view, that ethos, that belief, and bring people along with you. If people don’t come along with you, they are at the wrong school, and they’ve got to go. If sounds harsh, but you’ve got to come back to that vision, and you have to make sure you’re going in the right direction. I have had those conversations with staff - that is what we believe here, and if it’s not what you believe, then you’re in the wrong school.”



The Exploitation of Young Disabled People Transitioning from Education to Work

ALLFIE's Our Voice, a collective of Young Disabled people, calls out deep rooted discrimination in apprenticeship and internship programmes, including a shocking disparity in pay between Young Disabled people and their non-disabled counterparts, and systemic barriers which cause unequal opportunities transitioning from education to work.

ALLFIE has been campaigning against barriers that exist in the transition from school to employment for Young Disabled People, highlighting significant inequalities. Since 2009, they have [campaigned for National Inclusive Apprenticeships](#) and shared their successes.

In 2018, Inclusion Now magazine published an article titled [‘The Apprentice Chef’](#), sharing the experiences of 23-year-old Maxime Soret in the catering industry.

ALLFIE's [‘Our Voice’](#) is a national collective of Young Disabled people who speak out against educational, and social inequalities caused by systemic barriers. Continuing previous campaign work, they collaborated with ALLFIE's Young people's project leads, Yewande and Maresa, to focus on the transition from education to employment, particularly Apprenticeships and Supported Internships for those with an Education and Health Care Plan (EHCP).

This article discusses the opinions of Bethany Coles, Zen Adams, Tolu Soleye, Samuel Bartley and Lucy Wing about:

- ◆ Supported Internships and Apprenticeships.
- ◆ Whether the current system is just.
- ◆ Whether changes should be made and what those changes might be.

Supported Internships: No legal requirement to be paid

Supported Internships are work based learning programmes. This means you can learn workplace skills while learning at a school or college. Supported Internships last 6 months and are 20 hours a week. You get enrolled in Supported Internships by your school or college. You can only be accepted on a Supported Internship if you are aged 16 to 24 and have an EHC plan. Earlier this year, [Special Needs Jungle reported](#) on a pilot scheme to test Supported Internships for those without EHC plans in 12 local authorities, noting:

“At present, you can only go on a supported internship if you have an EHCP, but with many councils keen to strip plans from disabled young people as soon as they hit 16, many of those who could benefit miss out.”

Most of the Young person's learning happens in the workplace and Young Disabled people also get a job coach to mentor and guide them through the process of the internship.

Supported interns are still in full time education, and the learning that happens on the Internship is viewed as a part of their education. However, ALLFIE's Our Voice believes there are huge inequalities to Supported Internships. For example, the [Department for Education \(DfE\)](#) says that:

- There is no legal requirement for Supported Interns to be paid.
- Young Disabled people are not paid the national living wage.

ALT TEXT



- Young Disabled people are not guaranteed a job at the end of their Supported Internship.

Here at ALLFIE, we also believe that this is extremely unjust and that it adds to the discrimination that Young Disabled people continue to face. The DfE says that Supported Interns should feel valued in the workplace and develop confidence at work.

However, Our Voice question how this can happen when the interns are not being paid for their time and hard work, unlike non-Young Disabled people who are. The difference between Disabled and non-Disabled Young people understandably makes Young Disabled

people feel devalued and lack confidence in the workplace. Some Our Voice members shared their disappointment and voiced these concerns. One member in particular, expressed that it is **“unfair.”** Another member, named Zen, highlighted the issue of internships **“not being paid”** and Samuel echoed this sentiment, stating that **“I too want to be paid”**.

Considering the inequality of treatment between these two workplace training programmes, it is disheartening that the [Government's SEND and AP Improvement Plan](#) proposes between 2022 and 2025 to invest £18 million to increase the [Supported Internship Programme](#).

The Young people at Our Voice want the Disabled People's Movement, and the public, to be aware that segregation persists not only in education but also in employment, as highlighted by young people participating in the Supported Internship programme. Despite all these concerns, the Government still hosts a National Supported Internship Day on the 27th of March each year to promote awareness of Supported Internships and share what they believe to be positive experiences about them.

Barriers within the Apprenticeship Programmes

Another work-based learning option available to Young Disabled people are apprenticeships. An apprenticeship is like a Supported Internship where you learn while you are working. You are enrolled by your school, college, or apply through online portals. A significant difference is that:

- Young people are paid on apprenticeships.
- Apprentices get a qualification at the end of the apprenticeship which is recognised nationally.
- There is a lack of clarity regarding the type of financial grants available to support Disabled Young people partaking in apprenticeships. ([SEND and AP Improvement Plan](#), chapter 3, P48 - 49).

There are some apprenticeships where Young people need to have certain qualifications like GCSEs and A levels, or even a degree before they are accepted to be an apprentice.

Once more, members of Our Voice highlighted the injustices in the entrance criteria for apprenticeships, pointing out that these educational requirements discriminate against many Young Disabled people. This is because the Apprenticeship Programme fails to address the systemic barriers related to disablism, ableism and intersectional experiences within education, particularly around curriculum, assessments, and exams.

It was stressed by the members that, although there have been attempts to address entrance requirements by introducing some exemptions (Young Disabled people do not need to have the required grade for Maths or English at GCSE and can have Entry Level 3 Maths or English instead, or can work to achieve this entry level during the time of the Apprenticeship), this must be agreed by the organisation that is providing the apprenticeship. What's more, the structural and systemic barriers within the Apprenticeship Programmes haven't been adequately addressed. The concern raised by the members is that it could be a barrier for the Young Disabled person, especially if they have an Apprenticeship provider that does not understand disablism, ableism and accessibility.

Denied Meaningful Work Opportunities

During one of its meetings, Our Voice member Tolu made a poignant statement; "I want a job where I'm not put in the cupboard alone". This statement highlights the reality faced by Young Disabled people. Yet the Government promises in the SEND and AP Improvement Plan to "provide a ladder of opportunity to help young people access excellent education and skills training and continue learning through adulthood, to secure good jobs and progress into their careers". ([page 44](#)) However, the injustice remains.

This injustice has a deep emotional impact for the Young Disabled people. There isn't enough public awareness about the barriers they face within the education system and employment. Members emphasised that they do not have equal chances within the field of work and are denied meaningful work opportunities, such as:

- Barriers to entrance criteria.
- No right to be paid for their services.
- Barriers to support and equipment.
- Barriers to training and continuous professional development.
- Being valued.

National Inclusive Apprenticeship programme

As discussed throughout this article, ALLFIE has been campaigning for many years for a National Inclusive Apprenticeship programme. There is a pressing need for a framework of inclusive practices that offer all Young people meaningful professional development. Apprenticeships must offer invaluable opportunities to learn while working, providing a pathway to a fulfilling career. However, Young Disabled people experience barriers that impact their access and hinder their success in the workplace. Recognising and addressing these barriers is necessary for an inclusive workplace where every Young person can thrive.

Bethany, a member of Our Voice, has had countless negative experiences and expressed that **"it's hard because we get told to try and work but it's hard to find places of work that understand us."** Similarly, Zen emphasised the importance of understanding Disabled people's experiences, stating, **"If I am helped at work, I can do the job but need a little understanding that I work in my space, am shy to talk to customers and I just can't rush."**

To be inclusive, it is necessary that every workplace:

- Allows every Young person to thrive.
- Recognises and addresses barriers Adjustments must be made during apprenticeships to ensure accessibility for Young Disabled people.
- Provides adjustments that can include flexible working times, training for staff, assistive technologies.

ALLFIE campaigns that the whole apprenticeship programme should be inclusive anyway, instead of making different apprenticeship programmes for Young Disabled people. It is another way of segregating Young Disabled people and reinforces discriminatory practices and a notion of 'otherness'. It also fails to address the deep-rooted issues that perpetuate exclusion.

As Lucy, a member of Our Voice, says: **"improve the accessibility of apprenticeships instead of putting us into a different category again. Segregation doesn't help us."** Her words resonate deeply with ALLFIE's sentiment for a National Inclusive Apprenticeship programme.

Our Voice has also been looking at the topic of systemic injustice. All Our Voice members agreed that having two different workplace training programmes is an example of systemic injustice towards Young Disabled people. Lucy commented that systemic injustices were accepted by people as **"legally okay,"** but she also said that they are **"morally wrong."** Lucy speaks out about the status quo and demands accountability for the deep-rooted inequalities and inequities hidden within the two programmes.

Bethany echoes this point stressing the fundamental principles of fairness, **"I think we all need to be treated fairly."** Clearly, the Our Voice message was very clear that having two systems of apprenticeship was a sign of systemic inequality.

Call for Systemic Change

Our Voice is campaigning for a radical commitment from apprenticeships programmes to dismantle disabling barriers and ableism, alongside other intersectional injustices within the transition from school to employment programmes and within workplaces.

Job coaches, additional support through Access to Work, and meeting access requirements should be part of an inclusive apprenticeship scheme for individuals with or without Education, Health and Care Plans.

Achieving inclusivity calls for systemic change that addresses the root causes of inequality, and embeds a culture of equity and belonging where every individual is treated with dignity and respect in all areas of life, including professional development.

Masking abuse as restraints and behaviour management in Segregated Education Settings



By Iyiola Olafimihan, ALLFIE's Campaigns and Social Justice Officer

ALLFIE firmly opposes the use of force or restraint in any educational setting, whether deemed reasonable or not. We believe it necessary to raise public awareness about the findings of [research](#) commissioned by the Department of Education (DfE). This report, entitled "[Reasonable force, restraint & restrictive practices in alternative provision and special schools](#)", aims to inform the review of DfE Guidance published in 2013 which allows the use of restraints and other so-called behaviour management techniques in special schools.

It is also worth noting that the [Education and Inspections Act 2006](#) (Section 93) states that "members of staff" have the "power to use force" "on pupils either on school premises or elsewhere, provided they have lawful

control or charge of the pupil." This law permits the use of "reasonable force." As evidence gathered over many years shows, many of these settings are misusing law and policy to justify abusive practices, as recently highlighted in [ALLFIE's End Torture campaign](#).

The latest findings reinforce our position that segregated settings are spaces ripe for the abuse of Disabled people's human rights and should not be tolerated by society. The [report](#) aims to inform the review of DfE Guidance published back in 2013 which allows the use of restraints and other so-called behaviour management techniques in special schools. The research findings reinforce our position that segregated settings are spaces ripe for the abuse of Disabled people's human rights and should not be tolerated by society.

In this year's [Spring edition of Inclusion Now](#) we published articles and other information connected to our [End torture of Disabled people](#) campaign which demands an end to the abuses inflicted upon Disabled people in segregated educational settings and other institutions.

This new research demonstrates how subtle actions, or so-called behaviour management techniques and restraints, often lead to full blown abuse when allowed by law and policy guidelines. It also shows how these result in devastating consequences for Disabled people (see two recent examples here: [Special school pupils 'tortured' in calming rooms, BBC investigation finds](#) also revealed in another investigation [Disabled Pupils mocked and put in headlocks by school staff](#)).

Background

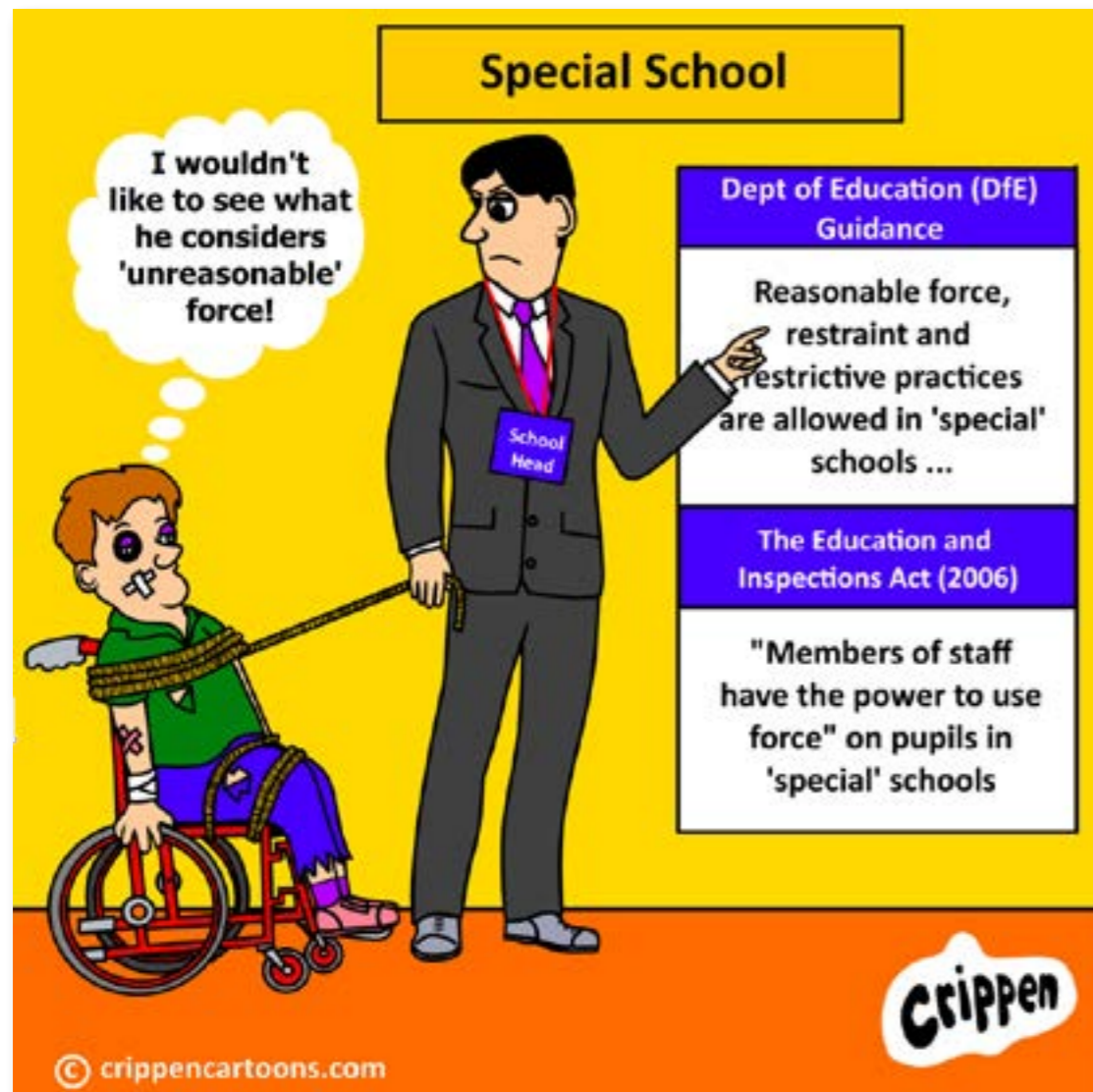
The DfE commissioned research organisation, Revealing Reality, to carry out [research](#) to understand how Special and alternative provision schools in England currently use "reasonable force, including physical restraint and other restrictive practices" (Page 3), and to learn how these schools can effectively minimise the need to use such methods. The report was commissioned to support the DfE's plans to review and update the [DfE Guidance 13 July 2013 \(Use of reasonable force Advice for headteachers, staff and governing bodies\)](#). The guidance states it provides school staff with advice on how to 'minimise the use of physical restraint' and, in instances where it is 'absolutely necessary and lawful to use reasonable force or restrictive practices', to do so as safely as possible.

However, this form of restraint constitutes violence and puts Disabled Children and Young people in the same category as suspected perpetrators of a crime in the disguise of so-called behavioural policies and techniques.

Our views about the research Our overarching view was that the research was a public relations exercise for Special and alternative provision schools and seems to only centre views of the school/colleges and not children/Young people and their families. The voices of children/Young people and their families are missing, they were not interviewed or considered – their voices were erased! Our comments and observations on the research "[Reasonable force, restraint & restrictive practices in alternative provision and special schools Research report](#)" are outlined below:

- Disabled children and Young people are still being subjected to traumatic practices in segregated educational settings masked as restraints and restrictions and these settings are legally allowed to supplement DfE's "use of reasonable force" (page 4 of the [research](#)). The reason given was that the guidance was not detailed enough (page 16 of the research), and some schools welcomed the ambiguity or lack of details because they claimed it enabled them to tailor it to suit their individual settings. Our view is that lack of uniformity and standards can allow abuse and violence by empowering schools to make their own guidance. It is easy for a rogue leadership team to use the guidance as an excuse to harm Disabled children/Young people in their care.

ALT TEXT



Some school leaders felt the guidance should make it mandatory for schools to share details of incidents involving the use of reasonable force with parents/guardians, the local authority, the DfE or Ofsted. We agree with their observation and would also like a more standard definition of “what is reasonable” (Page 19 of the [research](#)). There are various practices and reporting mechanisms that schools use that are not standardised and thus subject to school leaders’ prerogatives.

- The use of language in some schools to mask the potentially harmful treatment of Disabled children and Young people

is disturbing. In the report (page 11 of the [research](#)) some schools prefer terms like supportive holding instead of restraining. This does not stop the use of reasonable force or restraint and allows law enforcement culture to be mimicked in these schools. It is very concerning that the definition of the term “reasonable force and restraint” (page 4) is so broad that even Special school leaders cringe at its lack of detail. This can be used by some schools to perpetuate harm and use disproportionate restraint on pupils (page 15 of the [research](#)).

- There was a concern in the report that not all staff in the sampled schools were trained to “enforce” these practices (page

19 of the [research](#)). We ask what the ratio of trained staff to non-trained staff is and what happens if the trained staff are unavailable?

- We can also assume from the report that the training industry on the use of these methods is thriving. How else can you explain the fact, pointed out in the report, that training providers often roll out the same training programmes previously used with minor tweaks and charge exorbitant fees, thus reinforcing our long held belief that so much money is being made off the backs of Disabled people. (page 22 of the [research](#))
- When it came to recording data, the DfE guidance was very vague and allowed schools too much freedom in what they could record. (page 32 of the [research](#))
- We also noted that the system of capturing data is not standard across the sector. While some schools have invested in technology (online systems) others are still using paper bound books to record data. Paper bound books to log data are not secure enough in our opinion.
- As we have always suspected, there is segregation even in Special schools as one case study on a Special school in Essex demonstrated (Annex 1 case study one page 35 of the [research](#)). In the case study it was observed that some Disabled children labelled as extra complex were not allowed in the same space as other Disabled children in the same segregated setting. ALLFIE has always maintained that segregation provisions do not prevent further discriminations and other harmful practices that some have argued do not exist in those places. In the case study it

was observed that some Disabled children labelled as extra complex were not allowed in the same space as other Disabled children in the same segregated setting.

Final thoughts

We have gone to great lengths to outline our thoughts, reflections and observations on this research and again link the use of these so-called behaviour management techniques to our [End Torture of Disabled People campaign](#), which highlighted abuse and torture happening in dual-registered residential special schools, care homes, and special schools funded by taxpayers.

Our Human rights

We believe a system that allows violence (and has never considered researching alternative methods of behaviour control and management) to be used on Disabled children and Young people in the guise of managing so called misbehaviours, lends itself to bestowing on a group of Disabled people a life cycle of abuse, torture and dehumanisation. We are therefore calling on the DfE and relevant authorities for the removal of the [Education and Inspections Act 2006](#) (Section 93) and other such laws and policies, that give staff the power to “use reasonable force” on pupils in schools or elsewhere. Segregation and institutionalisation reinforce abuse. Masking these techniques by using lofty terminologies, or claiming that certain staff and personnel are adequately trained, does not stop the fact that Disabled people’s human rights are being breached and their access to education lost.

ALLFIE Research: Experiences of Black/ Global Majority Disabled Pupils & Families in Education

In April 2024, [ALLFIE published a report](#) focusing on the educational experiences of Black/Global Majority Disabled pupils and their parents within London. This research, in partnership with the Runnymede Trust, a racial justice organisation, supports our campaign for inclusive education as a social justice issue for all.

While there is plenty of research on inclusive education, ALLFIE’s Disabled Black Lives Matter (DBLM) was concerned about the lack of studies conducted by Black/Global Majority Disabled people that utilised a disability justice and rights framework. Most research views experiences as one-dimensional, but as [Audrey Lorde](#) said, people “do not live single-issue lives”. Recognising this, it was important for this research to address failures, not only in research approaches, but also in areas like school placements, staff support, and participation, ensuring intersectionality in the education system for Black/Global Majority Children. In our [press release](#), ALLFIE’s Chairperson, Dr Navin Kikabhai, stressed the importance of this adopted research approach, stating:

“We envision this research as a powerful tool to drive the campaign for inclusive education forward, ensuring that no one is left behind. Our collective social justice efforts must confront intersectional erasure head-on.”

Central to the research were the voices of the children and parents who were reflective, honest and insightful about their experiences. For the research this was an example of participants advocating for change and seeking a safe place to speak truth to power. For this article, we will focus on the findings section of the report, which directly includes the voices of the children and parents. The findings covered the following themes: school placement, experiences with EHCPs, teacher attitudes, disciplinary procedures and surveillance, and social participation.



Children described how segregation affected them, reinforcing social division and discriminatory practices within schools. Noeline, one of the young participants, shared a worrying observation about this social division, saying:

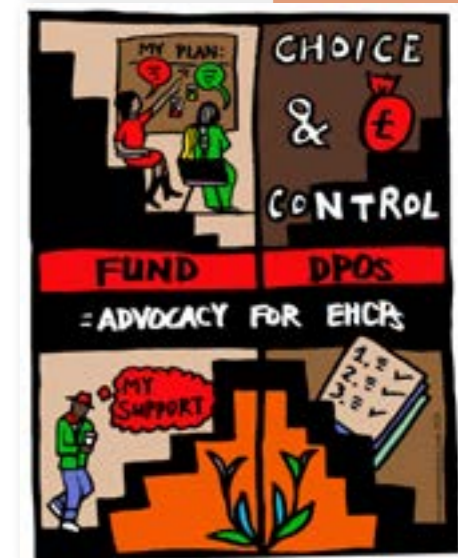
“[There’s] a place where wheelchair and Disabled pupils go there, and nobody’s allowed there, it’s locked... Like only there’s, there’s not a buzzer. The teacher has to get the card [for the door].”

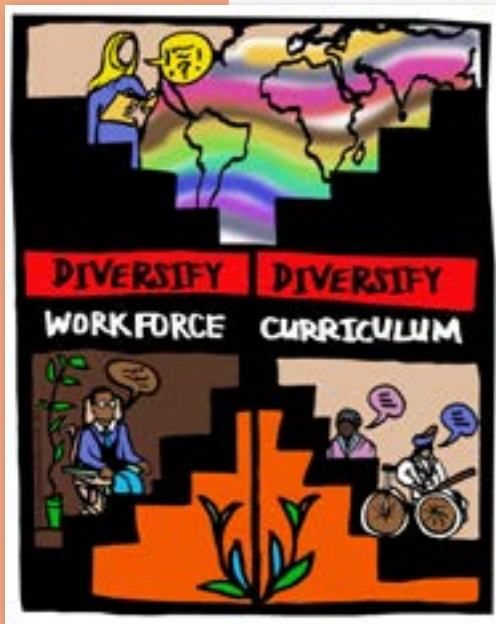
As was noted in the research report, parents often choose mainstream schools based solely on SEND services and support, sometimes “overlooking the complex intersections of disability, race, gender, and other experiences.”

Another key finding emphasised the children’s lack of autonomy in their support at school, revealing “limited agency and lack of centring the student’s voices in their support”. With reference to disciplinary procedures and surveillance, experiences varied by impairment, gender, and race. Parents expressed concerns about racial and disability injustices in school policies, evident in disproportionately high rates of exclusion among Disabled pupils and Black boys. Furthermore, “none of the pupils were able to share school experiences when they received a lesson that had examples of Black/Global Majority Disabled people.”

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We envision [this research](#) as a powerful tool to drive the campaign for inclusive education forward, ensuring that no one is left behind. Our collective social justice efforts must confront intersectional erasure head-on.





It was concerning that none of the pupils had role models from their community or knew of any Black/Global Majority Disabled people who could be sources of positive support for their values and identities. This absence of representation affects their perception and self-identity. The report stressed the importance of diverse curriculum content to help establish friendships and meaningful social participation. It is crucial for children to identify with individuals in the curriculum as well as to gain a sense of belonging.

The report concluded with six recommendations to support campaigns, advocacy services, and policy decisions. These are:

1. **Improve understanding and recognition of intersectional experiences.**
2. **Tackle the trauma experienced through grouping and separation.**
3. **Promote independence, choice and control in EHCPs.**
4. **Challenge negative attitudes and promote positive representation.**
5. **Expose harmful disciplinary procedures and surveillance.**
6. **Challenge segregation, promote participation.**

It is important that these recommendations are accounted for in future work. It is also important to recognise, as was reaffirmed in the report, that:

“Inclusive education is a human rights issue; it requires the removal of barriers and the recognition of intersectionality and cross-movement working.”

MORE...

- [Runnymede Trust blog](#)
- [Disability News Service](#)
- [YouTube video](#)
- [Press release](#)
- [Report summary](#)
- [Easy-read report](#)
- [Report homepage](#)

Report images:

The images by Pen Mendonca are designed in the style of Kente cloth, which originated in West Africa. The cover is divided into 6 sections:

1. The Intersection of Race and Disability: A series of step-like symbols.
2. Address Trauma from Separation: 4 small illustrations of Black/Global Majority People experiencing trauma through being separated.
3. Choice and Control - Fund DPOs - Advocacy for EHCPs: 2 people creating a plan, a bag of money, a person thinking and a task list.
4. Diversify Workforce, Diversify Curriculum: A person reading, a rainbow world map, 3 Black/Global majority Disabled people.
5. Cross Movement Campaigns, Educational Justice and Data: Different people doing different activities, i.e. reading a screen, speaking, childcare with love, hugging, playing the guitar.
6. Collaborations between movements, disability justice – racial justice: A hand holding a protest banner with a wheelchair symbol, next to two hands doing sign language and a head showing a brain.



The future of professional development for SENCos: Will it equip them for strategic leadership?

Education professionals explain their hopes and fears for the forthcoming mandatory National Professional Qualification (NPQ) for SENCos.

- Hazel Richards; Senior Lecturer at Birmingham City University
- Stephanie Brewster; Senior Lecturer at University of Wolverhampton
- Helen Knowler; Associate Professor, University College London
- Elizabeth Done; Senior Lecturer, University of Plymouth.

Back in May 2022 Inclusion Now 62 published Louise Arnold and Debbie Kilbride’s article “[The SEND Review Green Paper: Never giving up and never letting go, despite a system in crisis](#)”. This explored the proposed replacement of the National Award for SEN Co-ordination (NASENCo) with a National Professional Qualification (NPQ) as the mandatory qualification for SENCos in England.

The proposal has since been formalised in the [SEND and Alternative Provision Improvement Plan](#) (Department for Education 2023) and the new NPQ is due to be introduced in Autumn 2024. With such significant changes afoot, this article draws on our recent research ([Richards, Brewster, Knowler and Done, 2023](#)) and asks whether the new training can fully equip SENCos for what is a challenging and complex role ([Done et al. 2022](#)).

Like the SEND Code of Practice (2015) the 2023 Plan identifies that every teacher should be able to adapt their practice to meet the needs of every child in their classroom. It also identifies the importance of Initial Teacher Training and Early Career Frameworks to better equip teachers to meet the needs of Disabled children and Young people. However, our experience and research have identified tensions around teachers’ perceptions of ‘every teacher a teacher of SEND’ and the specialist roles of a SENCo.

Of even greater concern is that this reform is not presenting existing definitions of inclusive education which recognise the centrality of Disabled people’s experiences. Furthermore, there is no mention of the United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) which in turn directly ignores Disabled children and Young people’s education as a human right. The Plan effectively promotes segregated education and fails to support the collaborative professionalism essential to enacting fully inclusive education.

SENCOs and leadership

SENCO practice is multi-faceted and entails dilemmas and challenges associated with leadership. Whilst we welcome the Plan’s intention to support excellent SEND leadership, SENCOs enacting their advocacy role must sometimes navigate discriminatory and/or exclusionary practices. The drivers for these are often both financial and related to academic results.

We are concerned that the NPQ may depart from the critically rigorous requirements of the existing NASENCO and that this poses risks to equipping SENCOs with the necessary resources for agency to ensure inclusive school cultures and to challenge unfair practices.

SENCOs have a critical leadership role to play, not just for Disabled learners but for inclusion in its widest sense. The outgoing National Award equipped SENCOs with Masters-level research skills which aimed to enable inclusion-related research at the school level and so facilitate transformatory evidence-based practice. Like [Lopes et al \(2023\)](#), we recognise the interconnection of knowledge, skills and agency and the power that transformative learning can have to drive these. Whilst we are mindful of the very real contexts and constraints SENCOs operate in, we also recognise they play a pivotal role in social justice. But in the words of one of our NASENCO students, the NPQ must continue to equip SENCOs to “champion the needs of SEND children in all curriculum areas”, and to continue to do what is right rather than what is easy.

SENCO practice is shaped by wider historical, political, legislative and ideological discourses and by the local manifestations it is positioned within. As university tutors delivering the existing course, we investigated what impact NASENCO students felt Masters-level study had on their professional practice ([Richards, Brewster, Knowler and Done, 2023](#)). Our research revealed the most important benefits SENCO students felt they gained from doing the course were:

- ◆ Growing confidence, for example to challenge, question, engage critically with senior leadership and outside agencies and parents/carers/families. This confidence then directly supported their potential career development.
- ◆ Growing research literacy, to support their engagement with evidence of effective practice and embed evidence-informed practices in their settings.

Students working across a range of setting types and age phases demonstrated their willingness to delve deeper into the issues they face within their settings. Many showed their growing insight into the causes of underachievement and the role of evaluation in looking at the efficacy of interventions within their schools. What was also evident was their growing awareness of how theory could improve their understanding, and of how tools taught on the course could improve teaching and learning through the professional development of staff in their settings. While no qualification will guarantee effective enactment of the SENCO role – building accountability into the system is needed to do this – it was apparent that the outgoing course did indeed support participants’ deep critical engagement with inclusive educational practice.

SENCOs as leaders of inclusion

Tronto (2013) argues that organisations (like schools) should be alert to situations where it is possible for some people not to care about issues of inclusion. SENCOs need to be confident members of leadership teams that hold inclusive practice as a core ethos across their whole setting and staff. SENCOs can do much to promote knowledge and skills in support of inclusive education among their staff groups when given the time and space to do so.

How the new NPQ will succeed in equipping SENCOs with the insight, skills and confidence to challenge unjust practice and champion inclusion remains to be seen. Indeed, a change in course title and format of the mandatory training may make no difference to SENCOs’ personal commitment to social justice, and the demonstration of this through their leadership. Whilst we accept this situation is where we are at, we issue a call for continued vigilance as training providers develop their NPQ courses, to retain as far as possible the many strengths of the old NASENCO in the pursuit of improved outcomes for Disabled children and Young people.

And finally...

... a message to SENCOs at whatever stage of professional development they are at, in the words of Knowler, Richards and Brewster (2023, p117):

“We recognise your commitment to removing barriers to learning, advocating for, and supporting parents and families as they negotiate the SEND systems, and for showing that an inclusive system where diverse classrooms with learners from all backgrounds can learn and thrive together is possible.”

MORE...

- Done, E L, Knowler, H, Richards, H and Brewster, S (2022) Advocacy leadership or the de-professionalising of the Special Educational Needs Co-ordinator role? *British Journal of Special Education*. [Online at: [Advocacy leadership and the deprofessionalising of the special educational needs co-ordinator role - Done - 2023 - British Journal of Special Education - Wiley Online Library](#) (accessed 24 July 2023).
- Knowler, H, Richards, H and Brewster, S (Eds) 2023. *Developing Your Expertise as a SENCO; Leading Inclusive Practice*. St Albans; Critical Publishing.
- Lopes, A., Folque, A., Marta and Tavares de Sousa, R. (2023) Teacher professionalism towards transformative education: insights from a literature review, *Professional Development in Education*, DOI: [10.1080/19415257.2023.2235572](#)
- Richards, H, Brewster, S, Knowler, H and Done, E. (2023) Professional development for SENCOs (Special Educational Needs Coordinators): the future of an accredited National Award. *European Conference on Educational Research*, August, University of Glasgow.
- Tronto, J. C. (2013) *Caring Democracy: Markets, Equality, and Justice*. New York: NYU Press

Another educational scandal - Cruelty in the Classroom, a BBC Panorama investigation



Image: Left, Yewande Akintelu-Omoniyi. Right, Navin Kikabhai

By ALLFIE's Navin Kikabhai, Chairperson, and Yewande Akintelu-Omoniyi, Our Voice Youth Officer

In June 2024, a BBC Panorama documentary called '[Undercover School: Cruelty in the Classroom](#)' reported the abuse experienced by Disabled pupils at LIFE School in the Wirral in the North-West of England. Documentary reporter, Sasha Hinde, gained work in the school as a member of the support staff and carried out an undercover investigation using a hidden camera. What she exposed was an appalling catalogue of abuse, including violent verbal and physical attacks on Disabled pupils and students.

LIFE School is a for-profit company, for pupils and students who are 11-18 years of age. The school specialises in sports and most of the pupils have labels of ADHD and Autism. Wirral Council fund places at the school, and it has been rated "good" by Ofsted. In the previous year, February 2023, a whistle blower raised the alarm about the school, saying that pupils had confided in her about the types of abuse they witnessed. Throughout the programme there is disturbing footage showing teachers physically abusing pupils. The examples include teachers putting pupils into headlocks and using police style restraint on them. Teachers routinely used discriminatory, ableist and other offensive language and derogatory slurs, targeting pupils and at times other staff.

Teachers also speculate about one Young person's sexuality, taunting him and using homophobic language. In another instance, sexist and misogynistic language is used to describe a female pupil, and about the investigative reporter.

As ALLFIE explains in [our current manifesto](#), social injustice in education must be combated. The Government should "adopt educational policies and practices that address all forms of social injustice in education, recognising the diversity of Disabled people's lived experience".

Teaching staff should be representative of people from different cultural backgrounds, and respect should be fostered for the diversity of Disabled people that they are teaching.

Another major concern which the programme highlighted, is the vast amount of money being spent on segregated schools. All the children at Wirral Life School are on Education, Health and Care plans (EHCPs), and according to the Department for Education (DfE) the number of children with an EHCP has doubled to 6,000 in the last 9 years. The number of pupils in independent schools with an EHCP has risen to about 150% since 2015. Since the school opened in 2021, Wirral Council has paid the school more than £2.2 million pounds. There is also offsite provision, a local football pitch, for one pupil who has 2 hours a day of lessons for 4 days a week. The lessons cost the local authority £150,000 a year. The teacher, a senior leader, leads the offsite provision and is captured on camera repeatedly verbally abusing the pupil, using ableist slurs, and being disrespectful and rude about the pupil's mother.

The former Director of the [Council for Disabled Children \(CDC\)](#), Christine Lenehan, also appeared throughout the film, commenting on footage of the abuse. Christine said that she is concerned about schools in the private sector who purely just want to make money. She was clear in advocating for the children to be included in local community schools, with the right support.

This aligns with ALLFIE's campaign for inclusion in mainstream community schools, as explained in our [manifesto demand number 2](#) which calls for an end to all forms of segregated schooling. Also, ALLFIE's Manifesto demand number 3 strongly emphasises that all SEND Government [funding must be redirected from segregated schools and units to improve mainstream education](#).

Additionally, the programme shows ineffective senior leadership, neglectful management, and poor practice within the school. The CEO of LIFE Wirral, a former professional rugby player who used to be chief executive of Bournemouth Football club, made explicit his primary motivation for money over the Young people's education and wellbeing. A measure of this questionable drive for money was made clear when he was captured on camera saying

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Educational segregation has become normalised, as thousands of pounds are being syphoned into segregation. There is a 'special' school industry, its economy is lopsided and tightly regulated. There is also profit to be made.

that he wanted Life Wirral “to be the first billion-pound educational division in the country”. He also added that he wants his headteacher “to be the richest headteacher in the country”. He appears gloating as he describes using a police style restraint on a child who was “lashing out.”

For many watching, they would be aghast that this individual had no experience in education and used to work for the police but was sacked for gross misconduct. For ALLFIE, it is no surprise that many segregated settings attract staff who have experiences and have worked, for example, in either custodial, protective, emergency, and armed services.

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This abuse of Disabled people is systemic, it cuts across intersectional experiences and identities, and it threads through the fabric of society.

In the programme the reporter, Sasha, meets the headteacher to review her performance. The headteacher was recorded saying that she was aware of staff behaviour and their anger towards the children and Young people. Further footage showed a teacher grabbing a pupil by the head and drawing on his head. This happened in front of the headteacher who does nothing, and then walks away. It leaves us wondering whether

this non-intervention by the headteacher is an indication of the comfortableness of the perpetrators, and that their abuse was being conducted in plain sight of senior staff?

It is incredible that only a few weeks earlier, a completely different story was being reported, one which commemorated the death of rugby sporting great, Rob Burrows. Rob was diagnosed with Motor Neurone Disease (MND), and campaigned alongside his family, friendship groups, strangers and sporting people. It was remarkable that the vehicle of sport brought people together in such a way and under such adversity. And yet, another group of Young Disabled people at LIFE School in the Wirral, a so-called specialist sport school, are being abused. I wonder, what would Rob Burrows have thought?

For many, it is hard to understand that Ofsted rated this as a ‘good’ provision in April 2023, suggesting that ‘leader’s arrangements to safeguard pupils are effective’. For others, Ofsted are defunct and devoid of holding educational providers to account, particularly when it comes to issues of disability justice. It is of course credible to question this lead inspector’s observations. How is it possible that such abuse went unnoticed? This Panorama investigation also revealed that Wirral Council had been aware of accusations of abuse. It would be no surprise to ALLFIE, that such perpetrators would have checked the equality box in terms of receiving training in Disability issues. It should also be no surprise that defenders of segregated provision will question the investigation, or even allege that it was the undercover investigator who put the children at risk – this is in fact a position taken by a nameless spokesperson at LIFE Wirral who issued a defensive statement on their website.

It is disturbing that much of the terminology related to Disability goes unchecked and is often used to dehumanise individuals. There is a long history which reveals the way language is used to justify segregation. Even the term ‘special’ has been argued to be offensive.

Absurdly, there are also segregated provision which claim to be inclusive – how, given that they exclude non-disabled people? For many, ‘special’ translates to meaning ‘less than’, ‘different to’, ‘failure’ and so on. It routinely results in segregation. The realities of Disabled people and segregation seldom report remarkable stories of survival, resistance and escape, why?

Watching this programme was upsetting and would have been extremely disturbing to many people. Much of the social media commentary noted the depravity of the perpetrators, name calling, physical abuse, torture, degrading and inhumane treatment by so-called professionals, who parents entrusted with their children. Sadly, and again, this is indicative of what ALLFIE has campaigned against in our [End Torture campaign](#) over the past year.

When all is said and done...

For many it is unfathomable that Young Disabled people are being treated as they are at LIFE School in the Wirral. At ALLFIE we have too often heard from parents being coerced into ‘choosing’ segregated ‘special’ provision, usually assuming that their son/daughter will be free from bullying, that they will be ‘looked after’ and so on. For some parents, thinking of what happens after their child has completed their schooling is too far away. For sure, parents agonise over ‘choosing’ a school. Mainstream teachers also buy into this special school industry, reneging on their commitment to equality and social justice, convincing parents that they don’t have the resources and/or skills. In this segregated system, it is necessary to have failing mainstream schools, there is a manufactured industry in servicing this so-called ‘failure’. Inclusion and exclusion have become two sides of the same coin.

Educational segregation has become normalised, as thousands of pounds are being syphoned into segregation. There is a ‘special’ school industry, its economy is lopsided and tightly regulated. There is also profit to be made.

Unfortunately, the abuse of Young and older Disabled people in segregated provision is all too common. It is not a ‘one-off’. In the coming weeks we will hear in the news the usual platitudes of ‘never again’, ‘lessons learnt’ and so on. If there are court hearings and possible prosecutions we should not be surprised, in this topsy turvy world, to learn that perpetrators themselves have some association with the issue of Disability.

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Ashamedly, the UK government has placed a reservation on United Nations Convention on the Rights of Persons with Disabilities (UNCRC) Article 24 on Education, which basically means that so-called ‘special’ schools are part of an apparent ‘inclusive offer’, presented in the guise of ‘parental choice’.

These are disturbing and confusing times. Even the legal system is lopsided and many of the perpetrators will, if taken to court, receive disproportionately community service, rather than custodial sentences.

This abuse of Disabled people is systemic, it cuts across intersectional experiences and identities, and it threads through the fabric of society.

Ashamedly, the UK government has placed a reservation on United Nations Convention on the Rights of Persons with Disabilities (UNCRPD) [Article 24 on Education](#), which basically means that so-called 'special' schools are part of an apparent 'inclusive offer', presented in the guise of 'parental choice'.

It should be of national shame that the United Nations has called out the UK for its lack of progress towards inclusive education.

The UK as well as other State parties are expected to demonstrate their 'progressive realisation' towards inclusive education. A previous UN observation in 2016 reported that there were 'grave and systemic' violations against Disabled people more broadly, and its most recent report published in March 2024 stated in its conclusion that the UK has 'failed to take appropriate measures' to resolve these violations and in some areas have regressed.

Whilst it may be the case that LIFE School in Wirral will be shut down, there are numerous historical examples of the repeated abuse in segregated educational provision, and it should be no surprise that there will be others which come to light. This is a complex system of segregation, riddled with inequality, implicating and coercing individuals. These are structural and systemic issues. When all is said and done, when it comes to segregated 'special' or so-called 'specialist', 'free' and 'alternative' provision, and the way society discriminates against Disabled people thereafter; history will judge us to be cruel, we have no doubt about that!

Yewande, who leads ALLFIE's Young Disabled people's group called [Our Voice](#), was also sickened and angered by what she witnessed in the documentary. It made her think of the Young Disabled people who still constantly have to fight for freedom and liberation at school and fight to enjoy their education. The Our Voice group summed it up best in the ALLFIE manifesto, when calling for inclusive education for Young Disabled people. They said:

"Inclusive education isn't just about dreaming about the future. We don't just want you to plan for the next generation. We want justice and liberation for those currently in segregated education."

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When all is said and done, when it comes to segregated 'special' or so-called 'specialist', 'free' and 'alternative' provision', and the way society discriminates against Disabled people thereafter; history will judge us to be cruel, we have no doubt about that!

In my role as Senior Development Officer for Goalball UK, I have been approached by Blind pupils attending different mainstream secondary schools, expressing their dissatisfaction at being excluded from participating in Physical Education (PE) lessons. These pupils want to take PE as a GCSE subject, with ambition to become PE teachers, and are actively involved in community sport. The pupils are also excluded from participating in their schools' sports days, which denies them opportunity to represent their schools so they can feel valued and have a sense of belonging.

Their parents have raised concerns with the schools about their children's exclusion from PE lessons. The schools have responded saying they are low on staffing levels and feel it would be too dangerous to include Blind pupils in uncontrolled physical activities. They argue it would be too challenging for Blind pupils to participate without any risk, and they are told to use the time to do homework or develop their Braille skills. Unsurprisingly, the pupils and their parents are dissatisfied with their school's response to their exclusion from PE, a curriculum subject. **What rights do they have to challenge the school's action to remove their children from PE lessons?**

Having a significant visual impairment is a protected characteristic under the Equality Act 2010. This means that there is a duty on schools not to discriminate against students who are Blind.

There are numerous protections under the Equality Act but the most relevant to this situation is the duty to ensure that those with a disability do not suffer discrimination 'arising from' their disability.

A disability is defined under the Act as: "P has a physical or mental impairment, and the impairment has a substantial and long-term adverse effect on P's ability to carry out normal day-to-day activities."

Being Blind clearly meets this definition.

Section 15 of the Act prohibits discrimination arising from disability which it defines as:

"A person (A) discriminates against a disabled person (B) if—

- (a) A treats B unfavourably because of something arising in consequence of B's disability, and
- (b) A cannot show that the treatment is a proportionate means of achieving a legitimate aim."

In the situation set out above, it could be interpreted that schools are not treating pupils unfavourably simply because they are Blind but instead because of the additional risk which arises from Blind pupils doing sport. The discrimination therefore arises from the consequences of the disability.

As can be seen above, a school should not discriminate in this way unless it can show that the treatment (the ban from sports) is a proportionate means of achieving a legitimate aim.

The schools in question have stated that safety is their aim and it probably would not be disputed that this is a legitimate aim. The question is therefore whether the ban is proportionate to maintaining this aim.

In considering whether a ban is proportionate, it should be considered whether reasonable adjustments can be made. The provision of additional staff and/or changes to the way the lessons or sports days are managed for example. Schools are under a duty to make reasonable adjustments and can never show that discrimination is a proportionate means of achieving a legitimate aim in circumstances where they have failed to do make reasonable adjustments. What is reasonable is dependent on specific facts. If schools show that the adjustments would be of significant cost and they simply cannot afford them then this might not be considered reasonable but they would have to demonstrate this clearly and that they have considered other lower cost alternatives where available.

In addition, most Blind students will have or should have an Education, Health and Care plan. Where support is needed but costs more than what a mainstream school can be reasonably be expected to cover from within their existing resources then provision should be specified in that plan and funded by the Local Authority. This means that, in reality, children who are Blind should participate in sports and it is simply a question of who pays for the cost of the additional support needed to ensure accessibility and safety of the pupils when participating. This should either be the school or the Local Authority but the answer cannot be a ban on sports for Blind pupils.

Parents of children in this situation may need to look at changes to their child's EHCP plan and/or consider a disability discrimination claim. Advice on the most appropriate option should be sought as this may be different for different people.

This legal question was posed by Kathryn Fielding, Development Officer from [Goalball UK](#) and was answered by Sarah Woosey, [Simpson Millar Solicitors](#)



This magazine is published by:



The Alliance for Inclusive Education (ALLFIE)

A national campaigning organisation led by disabled people. ALLFIE works to change laws, practices and procedures which discriminate against Disabled Young people and prevent inclusion. ALLFIE works together with allies to build a social climate in which everyone has a valued place.

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DISABLED PEOPLE, PARENTS AND ALLIES, WORKING TOGETHER

to educate, facilitate and empower everyone who wants to be part of the growing inclusion movement. Together we want to bring down the barriers so all young people can learn, make friends and have a voice in ordinary school and throughout life. For each and every young person, this is an essential human right.

ALL MEANS ALL