



Reviewing curriculum and assessment from a special educational needs and disability (SEND) perspective.

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Background

In the light of the government's curriculum and assessment review, this seminar explored the following questions:

- What would an inclusive curriculum be like from the point of view of learners with SEND?
- What would an inclusive assessment system be like from the point of view of learners with SEND?
- What is worth learning and assessing?
- How might we imagine things differently?

Speakers

- Daniel Stavrou, Assistant Director, National Children's Bureau
- Richard Rieser (via a video), Global Disability Advocate
- Peter Imray, consultant specialising in SEN training and advice
- Gary Aubin, author and SEND Consultant

This policy seminar was held on 10 January 2025. This policy paper summarises the speakers' presentations, and the plenary discussion involving all attendees. PowerPoint slides of the speakers' presentation can be downloaded from the Forum website.

About the SEN Policy Research Forum

The SEN Policy Research Forum contributes intelligent analysis, knowledge and experience to promote the development of policy and practice for children and young people with special educational needs and disabilities (SEND), from 0-25 years, across the UK.

Our membership includes academics, researchers, policy consultants, advocates, and representatives from local authorities and voluntary organisations. We host regular, open [policy seminars](#) on SEND-related topics. The proceedings are written up into [policy papers](#), and published on our website.

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The Curriculum and Assessment Review: reflections on a possible inclusive future

Dr Daniel Stavrou

Drawing on the submission by the [Special Educational Consortium \(SEC\)](#), and a [blog for SENPRE](#), Daniel set out some reflections on possible avenues to make the curriculum and assessment framework more inclusive, and a brief analysis of some of the current barriers impacting vulnerable pupils, amongst them disabled children and young people, and those with SEN.

Daniel began by setting out some of the barriers in the current curricular framework, firstly considering the group of learners who are unlikely to meet even the lower tiers of the National Curriculum, and certainly not keep up with the progression through Key Stages. These learners will require a move away from the linear, academic-focussed offer to make a curriculum viable and meaningful for them. Extending on a similar point, the SEC called for a move away from the rigid age-related expectations currently underpinning our schooling, which is believed to be a key driver in the levels of disengagement and consequent absence and exclusions levels, particularly among pupils with SEND.

Mention was made also of the accountability framework, including Ofsted, Progress 8, and school league tables, all of which currently disincentivise inclusive practice. Daniel set out how an inclusive curricular framework might look (slide 4). He then considered the question of disability diversity and how the curriculum might support the ambition set out in the SEND and AP Improvement Plan to promote an inclusive society. He called for a process of interrogating and challenging ableism, and to adopt a critical pedagogy approach which clearly links the school system and curriculum to the lived realities of disabled people and gave the dire employment figures amongst disabled people as an example.

A presentation slide with a blue header and a purple gradient footer. The header contains the National Children's Bureau logo and name. The main title is 'How might an inclusive curriculum look?'. Below the title is a bulleted list of five points.

NATIONAL CHILDREN'S BUREAU

How might an inclusive curriculum look?

- Giving an outline of what should be covered in each subject and removing the restrictions caused by having detailed programmes of study
- Ruling out the idea that all children should be expected to reach the same standards at the same age and instead allow teachers to use their professionalism to decide what should be taught at any given age
- Enabling and supporting teachers effectively to decide the extent to which a topic-based approach will help learners to understand the connections between subjects
- Accepting that pupils learn in varying ways, and some will need a different approach in order to make subjects meaningful
- Realising that a small minority will have such individual needs that a bespoke curriculum may be the only way to engage them in learning

Figure 1. Slide 4

He proceeded to briefly mention the issue of support staff and made the point that many of the issues around deployment and pedagogy as identified by Webster et al., are mirrored when considering curriculum. Often, support staff are the ones mediating curriculum to SEND pupils, and in a focus group he run with support staff, it was clear that they are often asked to carry out sophisticated curricular adaptations for which they are not adequately trained.

Daniel gave an exemplar of a subject area and an inclusive approach to it (slide 7), making the point that when considering assessments in primary schools, much of the focus is, in fact placed on working at speed as opposed to assessing the fundamental understanding of the subject at hand. This clearly puts those with numeracy difficulties at a disadvantage; but it is also a pedagogic oversight, to his mind.

SEC's response to maths curriculum as an exemplar

- The year 4 times tables test that is focused on speed and not understanding is removed for learners with maths difficulties/dyscalculia
- A removal of need for children with dyscalculia/maths difficulties to sit SATs
- Shifting the maths curriculum to more of a focus on useful skills in life and not just passing a test at speed e.g. budgeting, time management
- Reviewing policy that prevents young people accessing further education courses when they have not passed GCSE Maths
- Better support for post-16 maths support – currently the retake pass rate is only 21.2% (FE Week, 2024)
- Robust training on dyscalculia for educators

Figure 2. Slide 7

On the issue of assessment, he set out the position that our system is overly reliant on one-off, high-stakes examinations. He proceeded to set out specific asks in relation to the assessment framework:

- Alternative forms of assessment including, for example, open book exams which do not require ability to memorise and recall facts.
- Continuous assessment and untimed assessment.
- Removal of Spelling and Grammar marks – or ability to use assistive technology to gain these marks.
- Removal of the non-calculator paper in maths exams and provision of formula sheets

Daniel shared thoughts on a correspondence he held with the departing Director of the European Agency for Special Needs and Inclusive Education, Cor Mejer, who wrote:

Many countries are undertaking curriculum reviews. For many, the starting point is a shift in mindset away from curricula and programmes based upon subjects and knowledge transfer to developing learner's competences – the key one being giving them the skills to understand their own learning and then learn content for themselves.

Daniel noted that this approach is in essence a meta-cognitive one, and that the Curriculum and Assessment Review has, worryingly, excluded pedagogy from its remit, which to his mind is an artificial move and an oversight.

He then offered a response to the question 'what is worth learning and assessing'? using a framework set out by Apple and Beyer (1998) and passing their governing criteria through a 'SEND lens'.

In addition, in response to the same question, he set out some of the criteria he believes should be assessed when considering if content is worthwhile:

- Generates and fosters joy and a love of learning
- Creates a sense of belonging
- Teaches how to cohabit the public sphere - Prepares for future citizenry
- Deepens understanding of the world: including of knowledge itself
- Prepares for crisis (i.e., not neutrally 'for the future'): fosters resilience

Daniel made the point that the above suggests that curriculum is political in nature, and that our current assessment framework would struggle to meaningfully assess educational activities associated with them.

Daniel concluded with these specific suggestions for a reformed curricular and assessment framework:

- Teacher autonomy.
- Individual learning preferences and pace are accepted and celebrated.
- Less summative assessment, and much more flexibility.
- Learn from good practice in special schools and APs.
- Pedagogy is not extricated from the curriculum debate (meta cognitive approaches; Universal Design for Learning; Collaborative Learning etc.).
- Embrace the 'social mission', accepting that schools embody and reproduce inequality, while having the potential to alleviate them.

References

Beyer, L. E., & Apple, M. W. (Eds.). (1998). *The curriculum: Problems, politics, and possibilities*. New York: Suny Press.

Blatchford, P., Webster, R., & Russell, A. (2012). *Challenging the Role and Deployment of Teaching Assistants in Mainstream Schools: the impact on schools: final report on the Effective Deployment of Teaching Assistants (EDTA) project*. Available at https://discovery.ucl.ac.uk/id/eprint/10096860/1/Blatchford_EDTA_project_final_report.pdf

The Disability Rights Perspective in Curriculum and Assessment Review Dr Richard Rieser

This is about a disability rights perspective for the curriculum and assessment review. I have had a background in doing this for more than 30 years, set up disability equality in education, the World of Inclusion, where we looked at both the methods of developing inclusive education in the classroom, but also how to bring disability into the curriculum. This developed more with disability history and maths over the last 15 years and put into practice around the Commonwealth as a general section of the Commonwealth Disabled People's forum. I would like to start by talking about the definition of disability in the UK under the Equality Act 2010, which defines disability as a physical or mental impairment that has a substantial and long-term adverse impact on a person's ability to do normal day-to-day things. Substantial here means more than minor or trivial, long term, 12 months or likely for 12 months. In 2023 there were 16.1 million people or 24% of the population with disability in the UK, according to the Family Resource Survey.

Under this definition, it shows 11% from birth to 15-year-olds and 17% of 16- to 24-year-olds. With that doubling in the last 10 years, with the biggest increase in mental health and social behavioural issues, particularly neurodiversity in England in January 2024. As most of you know, we have 18.4% of the school pupils from birth to 16-year-olds with special educational needs and disability, 4.8% with EHC PS and 13.6% with SEN support. If you take that definition and put it into those statistics, I can think of very few of any children presenting with Special educational needs / disability that do not come under that definition, because even to be noticed will take at least six months, if not 12 months. So, they would come under it; because they are not doing the average or the normal day-to-day activities that you would expect as age appropriate.

So, we come to the UN Convention on the Rights of Person with Disabilities, which was a reaction to the disability movement pushing very hard for about 20 years for a human rights approach to disability based on the social model approach. So, this recognises in the

preamble that disabilities is an evolving concept and disability results from the interaction between persons with impairments and attitudinal / environment barriers that hinder their full and effective participation in society on equal basis. More specifically in Article 1, persons with disabilities include those who have long term physical mental, intellectual sensory impairments, which in interaction with various barriers, may hinder their full and effective participation in society on equal basis with others.

Regarding the evolution of this thinking on disability, impairment which is a loss of function, has been with us as long as there have been human beings around. The causes of it may vary from doing battle with a hairy mammoth to traffic accident, but the long-term effects will be that you have a loss of function. The degree varies, but the social reactions are very similar but some changes over time. That is what causes disablement for thousands of years. The overwhelming social response was negative, with the occasional veneration, such as Saints or sinners. This led to the traditional and charity models. Then, with the Enlightenment we saw a burgeoning of medical science that suggested a limited solution of fixing some impairments, seeing the person through the medical lens. That became the way that most disabled people were seen and then this migrated into special needs, with all the resources based on what you cannot do. So, we still resource people according to how much they cannot do on a normal scale, rather than having schools to empower them to do what they can do.

Along the way, science intervened with eugenics and Social Darwinism that led to segregation and isolation of disabled people, particularly in schools. The first learning differently schools and colonies were set up to keep these people who were regarded as a danger to the gene pool, away from everybody else. Now you may laugh at that, but it ultimately led to the deaths of disabled people in Nazi Germany. You also need to think of the statisticians, like Pearson, Burt and others who were psychologists who recognised that we needed to test this fixed amount of ability in people by tests. So, we had the 11 plus and now have the Standardised Assessment Tests (SATs).

These are all on one dimension of intelligence with people sorted out in that way. If we are going to have a curriculum that includes everybody, we need to have different metrics. Disabled people increasingly resisted and identified reactions to them as socially and culturally derived. They identify disablement as resulting from attitudinal, environmental and organisational barriers they faced as people with impairments. This was the social model that was the big breakthrough in thinking. However, it took quite a long time to get this through in the UN, but by 2006 It was agreed, and we got a social model of human rights in the UNCRPD. This is now ratified by 191 countries, including the UK in 2009.

But where have we gone with it? If you look at Mr Gove's changes to the curriculum, which perhaps were the most radical in the last 20 years, these were knowledge based, underpinned by the testing of knowledge. It got rid of alternative routes through accreditation and so it is not surprising that 13.3% of disabled people in the age group 21 to 64 had no qualifications compared to 4.6% of non-disabled people. The grades that people have affects life chances, particularly if you look at those with significant neurodiversity and learning difficulties. Only 5% of them after this schooling have employment. So, we are getting something wrong enroute. But what we are required to do in the UNCRPD Article 24 on inclusive education is for governments to develop inclusive education systems for disabled people, students with reasonable adjustments and the right support. This covers teachers being trained to manage inclusive classrooms and alternative communication systems, such as sign language, Braille, easy read and pictograms. Also, General Comment number 4, which is the most important document on implementing Article 24 and which is legally binding international jurisprudence, now names the right to inclusive education. A key paragraph refers to ensuring the right to inclusive education, which entails: a transformation in culture, policy and practice in all formal and informal educational environments to accommodate the different requirements and identities of individual students. This is together with a commitment to removing the barriers that impede that possibility. It involves strengthening the capacity of the education system to reach out to all learners. It focuses on the full and effective participation, accessibility, attendance and achievement of all students, especially those who are, for different reasons, excluded. That is a very clear statement.

What the UNCRPD committee has told the British Government in an 2017 enquiry, one they have repeated is the need to get on and do the following: develop a comprehensive and coordinated legislative and policy framework for inclusive education; decide on a time frame to ensure that mainstream schools foster real inclusion of children with disabilities in school environments; teachers and all other professionals and persons in contact with children to understand the concept inclusion and are able to enhance inclusive education.

Instead, we are still considering what is inclusion, although it is clear what is involved. It is about strengthening measures to monitor school practises concerning the enrolment of children with disabilities and offer appropriate remedies in cases of disability-related discrimination and harassment, including deciding upon compensation. There is still no compensation if you take the disability discrimination route to the Tribunal, so that needs to be sorted out to put more pressure on schools to stop discriminating. It is about adopting and implementing a coherent and adequate financial strategy with concrete timelines and measurable goals on increasing and improving, inclusive education.

We should put a higher price tag on a mainstream place than a separate school place, or at least put them on the same level, which they are not now. The strategy must include ensuring the implementation of laws and regulations on improving the extent and quality of inclusive education in classrooms, support provision and teacher training, including pedagogical capabilities which have been going from bad to worse, as far as I can see, across all levels providing for high quality inclusive environments. This will include breaks between lessons, through socialisation and set up awareness-raising for parents and provide sufficient data. Disaggregated by impairment, age, sex, ethnic background and outcomes, we do not collect outcome data for many disabled students at the present time.

We also need to remember the Single Public Sector Equality duty (Equality Act 2011) and how this applies to disability. It requires public authorities, including all schools that receive government funding, even if they are non-maintained special schools and private schools (where the places are paid for by the public purse) to eliminate disability discrimination, harassment and victimisation. This includes all forms of bullying. This is to advance equality of opportunity, remove and minimise disadvantage, take steps to meet the needs of groups, protected characteristics and encourage their participation, foster good relations, tackle prejudice and promote understanding. This duty falls on the trustees of academies or on the governors of maintained schools, and they can be judicially reviewed for failing to do it, as can local authorities. But, Ofsted will not do it and local authorities do not want to do it. Perhaps the Equality and Human Rights Commission can have extra powers, like the Health and Safety Executive, to put Prohibition notices on schools that fail to comply.

What is needed for an inclusive school curriculum?

So what do we need to do? There is a need to recognise the curriculum as including everything that happens in and around the school: the intentional building of friendships, relationships, developing peer support, person centred approaches, equipping all and requiring all to challenge disabilities, name calling and bullying, and understand disablism, empowering and building self-confidence for disabled learners, ensuring disabled learners fully participate in the curriculum and see themselves in it.

The values of the school are whole school, inclusive and person-centred and that the behavioural system is aligned and demonstrates these values. Secondly, the taught curriculum, the knowledge, skills and understanding are designed for learners in a child centred and diversified to accommodate learners with different levels and degrees of attributes and impairments within the curriculum. So, we need a pedagogy and an organisation of learning in the school developed and organised to meet the above principles. Progress should be measured in terms of personal achievements mainly rather than a normative approach and content should be engaging. Assessment is mainly formative and

where summative routes are required; a variety of different paths are available, and methods should be accommodate the full range of expression and cognition. Here we come up against the problem of competency standards and these need to be very much re-examined and with decisions that there is not just one way of measuring.

Next thing is the reorganisation of the school learning environment to remove barriers, promote full access, provide reasonable adjustments with the requisite support as an ongoing process. So, it requires regular disability ecology training for all school staff, delivered by disability commissioners. This involves self-evaluation systems, such as the index for inclusion, with audits of barriers for disabled learners. I was involved with the Index from 1996 onwards, which had a social model as its basis and was looking at these policies, practices and culture. It was a very useful self-evaluation tool and schools engaged not only students, but also the support staff, parents, support teaching staff and management. It gave you different mirrors held up to the school and people identified what needed to change. That is a very useful school review mechanism. In this way there is ongoing and mandatory training for all staff linked to professional advancement. Possibly this could include Master's degrees being followed on inclusion, which would then give people enhanced payment, sharing and developing of moderated practitioner led teaching. There would be learning and assessment resources for all key stages, with additional non-contact time for development and preparation. For major school curriculum and pedagogic re-organisation and development, there must be time for people who work together to plan together. It is not good enough that we have the lowest level of non-contact time in Europe.

Reasonable Adjustments Project 2003-2006

An example of how some of this worked goes back nearly 20 years. We were asked by the Government's Education Department to survey and produce a handbook on reasonable adjustments, as part of the implementing the Disability Discrimination Act in schools and early years. We started with a list of 10,000 schools, which were sent a questionnaire. We had 500 replies that met our criteria that they were making reasonable adjustments for five groups of disabled students. Reducing this down to a short list of 90, we visited the final group of 41 with film and interview people. You can still see those films on those two websites below (see note 1).

We also interviewed over 300 people with Heads, staff, parents, children, support staff and specialists from outside the school. These were the key factors that led to those schools being outstanding, in what they were doing in providing inclusive provision to make reasonable adjustments. They had a vision, values based on an inclusive ethos, a proactive approach to identifying barriers and finding practical solutions, strong collaborative relationships with pupils and parents, a positive approach to challenging behaviour, strong

leadership for inclusion from senior management and governors, affective staff, training and development and used expertise from outside the school. Building disability into resourcing arrangements is a sensitive approach to meeting impairment specific needs.

But, what they lacked was the availability of role models, with very few disabled staff and very little mention of disability in the curriculum.

I have been back to most of these schools, since the effect of government reform and austerity. Staffing levels on an SEN have been cut back throughout mainstream schools and with the curriculum reforms a competitive environment have been created through Ofsted and academies. I have found that most of those schools no longer have that practices that they had 20 years ago.

I want to now talk about bringing disability from a social model human rights model into the curriculum. This came about when I did an evaluation for Ed Balls, then Secretary of State at the DfE. This focussed on the disability equality plan, so we went to several schools and interviewed students. One of my conditions was that we needed to bring the social model, human rights perspective into disability in the curriculum. We made several films that show how schools work to embed disability and quality into the curriculum. The message was that you may have a disabled friend or become disabled yourself in the future. The word 'normal' is never used because we are all different and our differences make us average human beings.

Should disability equality be included in the curricula? I think it is a really good idea because it enables people to talk about it, so it is not something people fear and do not understand. It is something to be accepted to learn about. That is the only way we can improve that in our community. Mental disability is still something that feels like it is very far off from people's understanding. I think learning about disability should be in the curriculum because it is all about exposure, awareness and understanding. And, if you do not have any one of those three very important parts, then you are not going to truly understand what it feels like to be disabled or also how the disabled person feels. Schools are meant to be preparing us for life and disabilities, mental and physical, are a reality to life.

What parameters should guide the Disability Equality Curriculum?

First, there is a recognition that impairment is part of the human condition. Impairment varies in type and degree over time, depending on access to knowledge and medical science. Know and understand that cultural and social reactions also vary through history and geography and have been predominantly negative and how these issues are dealt with in recent times in society. Understand disabled people are those with impairments who face attitudinal, environment and organisational barriers. Know that disabled people have human rights,

including to be treated equally, eliminate discrimination, exploitation, violence, abuse, be provided with accessibility, a human right that only applies really to disabled people and access inclusive services, including education, so inclusive education. It also only applies really to disabled people in the sense of making the adjustments that are necessary.

Be able to live independently in the community and once a young adult with a reasonable standard of living, with access to employment. This included a right to address in all these areas, and currently there is very little right of redress for disability discrimination in schools. More needs to be done about universal design to be progressively developed. This should be applied to all curricula from early years right through key stage 1, to key stage 5 on a spiral basis. This would involve at least one programme of study in each curriculum area in each subject area in each key stage. So that is what we should be looking to do now.

I have carried out hundreds of activities and curriculum approaches which have been shown to work. I want to go through a few of those. For instance, in English literacy one easy thing that you can do is get the class in groups with a piece of flip chart paper and two different coloured pens. They write all the words they have ever heard that apply to disability; say that they can be as rude as they like. And, then with the other coloured pen to go round and mark up the ones that are good words. It is usually less than 5% that is seen as good words which can lead to discussions. We can analyse storylines, characters and stereotypes in traditional literature compared with the literature written by disabled people. We can look at and analyse actual writing, the newspapers and so on. We can use the language guides that are in the anti-Bullying Alliance.

In the reading corner and every primary Year 1 to even early years up to year 3, there should be picture books that should feature disabled characters in a positive way, not a stereotyped way. There is not just one stereotype, but there are a whole number: we are evil, laughable, a victim, pitiful, a burden, incapable of participating, asexual and incapable of adult relationship, vengeful and sometimes we can be the 'Super Crip', as we have seen in some of the adverts from Channel 4 for the Paralympic Games. This puts all the disabled people who cannot do those things in a very difficult and awkward position, because during the para-games people think: 'well why aren't you doing that the same as everybody else?' Well, we are not. Some people like to do that, and that's fine. Another thing you can do is take traditional tales, such as, Snow White and the Seven Dwarfs, Rapunzel and Rumpelstiltskin and get groups to rewrite them from a positive point of view. So, for instance, for Rumpelstiltskin: 'Once Upon a time there was a little man called Rumpelstiltskin, who never grew, so like everybody else he was different. He was a good man and was a good person. Rumpelstiltskin helped the people and gave the people some money. They liked him because he was kind to them. They gave the little man some good food. Rumpelstiltskin spun straw into gold and did

not want to take the maid's baby, so they lived happily ever after.'

We have done work on portrayal, disabling imagery with the British Film Institute, for instance, which can still be accessed on our website. This is about analysing literature, advertising, soaps, dramas, films, TV, radio and computer games to look at how disability is portrayed in language and in imagery.

We can do work from a numeracy and mathematical point of view. For example, you can look at simple statistics like the percentage of disabled adults who are working; disabled and non-disabled people using simple bar charts for upper key stage 2. At early key Stage 3, look at how many permutations can you get on the 6th of a dice? That is what Louis Braille based his code on. You can look at measuring gradients around the school for ramps. They should be between one in 20 and one in 12; we can map them. We can measure and do turning circles. We can also do light levels; we can do lots of different things using measuring and applied mathematics. We can analyse graphs, line graphs, bar charts.

There are also many other areas, which we do not have time to go through, in art and history. Here are a couple of examples. Frieda Carlo is very often now talked about in art lessons in secondary schools, but rarely is her disability and her impairment. She had three impairments, polio as a child, then a dreadful accident where Rod went right through her spine and her pelvis and then having an amputated leg. She lived in pain for a lot of her life, but she still had a full life, created amazing art and was a socialist. It is important that the whole of the person is talked about when we look at this. For example, a young year 11 student saw this work of Frida Kahlo and referred to her scoliosis and her X-ray in one of her pieces that she put in for assessment.

We can look at history, such as Julius Caesar who was epileptic and often absent from the battlefield or Harriet Tubman, who also had fits because she had been hit on the head very heavily as a slave by a supervisor, before she set up the Underground Railroad. The reality of Shakespeare's play, and the images of Richard III as a mass killer raise questions about how realistic are they, or were they just Tudor propaganda? We know now from the Leicester carpet skeleton that has been identified that he had strength in his upper body. But he had scoliosis and he did not have a withered arm or a lame leg, which Shakespeare gave him. Vincent van Gogh, for instance, we can look at the effect of his mental distress on his art or going back to Ancient Greece and Hephaestus, who had a club foot and was thrown out of Mount Olympus by the other gods. We can look at mediaeval late mediaeval Holland where leprosy was spreading very quickly, it came back from the tropics with the spice boats and segregation was the order of the day. Or, why the Duke Frederico of Urbino is always painted

sideways on in four or five paintings of him from mediaeval period. This was because he had a big slash right across his face and it would not have been nice to look at him.

During this QCDA project, which I talked about, there are much more detailed presentations there that you can access. We developed a wide range of resources for use across the curriculum. I highly recommended that everybody who has started doing this work understand how the social model of disability was used in the 14 primary schools, 8 secondary schools and 3 special schools, where it was done. Later, in 2022/23 World of Inclusion carried out work in 16 schools in Wales on bringing the UNCRPD into the curriculum, based on a law passed by the Welsh Parliament, that was a pilot and is now being developed. This work should now be revisited as part of the curriculum review in England.

Note 1:

One free copy for each state school in England were available from DfES publications. June 2006

<http://webarchive.nationalarchives.gov.uk/20130401151715/https://www.education.gov.uk/publications/standard/publicationdetail/page1/dfes%20160%202006>

Films can be found at <http://worldofinclusion.com/v3/wp-content/uploads/2014/01/RAP-document-with-youtube-links.pdf>

An inclusive curriculum and assessment system?

Peter Imray

The current crisis

One of the most seemingly intractable problems relating to the current SEND 'crisis' is how to successfully educate learners with an Education, Health and Care Plan (EHCP) when the numbers of such learners have nearly doubled in the last 10 years, 4.8% and rising (DfE, 2024) as compared to the fairly consistent 2.7% of the population with a Statement of SEN prior to 2014 (Pinney, 2017). Clearly, not all of these learners are in the low incidence/high needs category, but a high proportion must be if we are to believe the reported evidence from both special and mainstream schools.

1. Virtually all special schools are overflowing, with very few having any spare capacity.
2. A large number of special schools recognise that their school roll has changed considerably over the last decade, with much higher levels of complexity being evident.
3. With demand outstripping supply, mainstream schools are being asked to educate children who are consistently and over time, working at academic levels well below age related expectations and usually well below the starting point of the National Curriculum.

4. Mainstream school leaders, SENDCos, teachers, and TAs are not pedagogically equipped to work effectively with such children who are presenting in such numbers with such complex needs.
5. The numbers of children being assigned to individual schools makes the conventional inclusion model of same classroom, same teacher, same curriculum, same resources, impossible to envisage.
6. In such circumstances, challenging behaviour is likely to become the norm rather than the exception, as square pegs object to being fitted into round holes.
7. The older the children are, and the further they are from an EYFS model, the more challenging the education process becomes.
8. At present, this seems to be predominantly a primary school problem, though logically, it is only a matter of time before the issue also becomes critical in secondary schools.

Interestingly, there doesn't seem to have been any research which can satisfactorily explain the significant rise in the number of very complex learners, even when the increasing numbers have been evident for a number of years, though the laws of unintended consequences relating to keeping babies alive at gestation periods of less than 26 weeks may be a significant contributing factor.

Whatever the overarching factors may be, the reality of almost every special school in the country is that they have seen a significant rise in pupils presenting as very complex, autism diagnosed, sensory seeking, non-linguistic communicators. Imray, Sissons and Kosyvaki (2024) have described such learners as having Complex Learning Disabilities (CLD) with all working at the severe end of Severe Learning Disabilities (SLD). They are well known as a distinct population within very many special schools in England, though the exact numbers are likely to remain a mystery as long as the DfE retains autism as one of the categories of primary educational need. Autism may well describe the 'how' of teaching, but it cannot indicate the 'what' when the term describes everyone from these very, very complex learners to the likes of Albert Einstein. Imray, Sissons and Kosyvaki (2024) have estimated that there be as many as 150,000 learners in England's educational system with profound, complex and severe learning disabilities (PMLD, CLD and SLD) but no-one can be sure without a centrally organised, baselining survey related to actual learning need, with or without additional autism.

Irrespective of the total numbers, pupils who live with CLD are working at very early developmental levels when compared to their neuro-typical, conventionally developing peers, perhaps within the 12 to 24 month range, irrespective of their chronological age. Further, there is no research evidence or information from special schools routinely working with them, that children with CLD will become young people or adults without CLD. Indeed, what evidence we do have (Ndaji and Tymms, 2009, for example) indicates the exact opposite. There may well be individuals who experience global developmental delay because of, for example, EAL, or SEMH or arriving within the education system late, but for the vast majority of learners, CLD does not represent delay, but a disabling and life-long condition. In addition, it should be noted that this does not seem to be a situation which is confined to

England but is known in very many (every?) western education system - which in the absence of any convincing alternative theory, would seem to support the medical advances argument.

Such learners, along with those with SLD, are now being directed by besieged LAs to mainstream schools, simply because there are no 'specialist' places available.

Unfortunately, mainstream nursery, primary and secondary schools are not physically or educationally geared to cater for such learners. They are, to coin a phrase used by Barry Carpenter, 'pedagogically bereft' (Carpenter, 2011).

The current 'solution'.

As at the beginnings of 2025, the only solution offered is centred around the model that has always applied, where 'education for all' is based on the right of every single child to be taught a single inclusive (National) curriculum in the same classroom, with the same assessment system, the same teacher and the same resources. Variations are allowed via differentiation, but however differentiated, the same curriculum beginnings and the same demand for upward, linear, curriculum progression applies. An understanding that this is, and has always been, problematic, has led to the rise of Inclusive Pedagogy (Florian and Black Hawkins, 2011) in the UK and Universal Design for Learning (Hall et al, 2012) in the USA. Both argue for 'built-in not bolt-on' models, so that curriculum planning includes *all* learners at the point of design. Teachers hone their teacher craft knowledge and apply universal strategies that work for all learners. Inclusive Pedagogy is particularly promoted by Nasen, perhaps England's most widely known SEND and SENDco resource base, but however successful this might be for mild or specific learning difficulties such as dyslexia and dyscalculia, there is absolutely no research evidence to suggest its effectiveness for those with PMLD, CLD and SLD.

The one big problem with Inclusive Pedagogy is that its logic, its pedagogy, its 'why' of curriculum design, centres around 'the same'. It doesn't ask if anything different can apply, even for those with PMLD, CLD and SLD who have routinely and consistently failed to succeed at all iterations of the National Curriculum, because it buys into the concept that the case for 'different' is somehow discriminatory (Ekins, 2015; Goodley et al, 2015; for example). Similar arguments, restricting alternatives to 'the same', are put forward in what is perhaps, the most extensive and exhaustive study of SEND 'solutions' of the 21st century, namely Mitchell and Sutherland's (2020) *What really works in special and inclusive education* which references some 350 worldwide studies. The authors find that

'with some exceptions, there are no disability-specific teaching strategies. Most of the strategies (presented) in the book are relevant to all learners with additional education needs – indeed, to all learners.' (Mitchell and Sutherland, 2020:8)

This rejection of specialisation derives from Lewis and Norwich's seminal (2005) work on 'the same', noted for its importance by both Mitchell and Sutherland and Florian and Black-Hawkins, and graphically highlights the singular focus of the original research.

'In asking whether pupils with special educational needs require distinct kinds of pedagogic strategies, we are not asking whether pupils with special educational

needs require distinct curriculum objectives. **We are asking whether they need distinct kinds of teaching to learn the same content as others without special educational needs.**' (Norwich and Lewis, 2005:7, my emphasis)

It is very difficult to think of *different* strategies if we're teaching the *same* curriculum. The Simple View of Reading (Rose, 2006) is very clear; systematic synthetic phonics is the only way to teach children how to successfully word decode, and successful decoding strategies are essential for reading and writing fluency. However, extending this concept to suggest that 'the same' is axiomatically beneficial to all is highly questionable. The DfE's (2023) *The reading framework: Teaching the foundations of literacy* for example, focuses directly on

'good practice for those with moderate to **severe SEND** and **complex needs**.'

'These pupils have to navigate **the same** written language, unlock **the same** alphabetic code, learn **the same** skills, and learn and remember **the same** body of knowledge as their peers.' (DfE, 2023:77, my emphasis).

Unfortunately, this fixation with 'the same' leads us down a solitary path, but gives us no clue as to what to do if that path proves to be a dead end. If however, we can imagine *different* curricula as a first step, and a *different* routes to *different* destinations, can we then imagine *different* teaching strategies?

Imagining a different solution.

Equals' Informal Curriculum, as far as we are aware, is the only fully formed curriculum written for learners of any age working consistently and over time at developmental levels equivalent to the beginnings of the EYFS Curriculum, and works on the basis that each individual learner:

- is at the centre of the Curriculum, which is designed to be flexible enough to change to fit the learner rather than the other way around;
- engages within an holistic model;
- engages intrinsically; learners work because they want to not because they're being extrinsically rewarded.

Figure 1. The Informal Curriculum within Equals' Multi-Tiered Curricula Pathway Approach

Pre-Formal Curriculum	Informal Curriculum	Semi-Formal Curriculum	Formal Curriculum	National Curriculum
Profound and Multiple Learning Disabilities (PMLD)	Complex Learning Disabilities (CLD), CLD/Autism	Severe Learning Disabilities (SLD), SLD/Autism,	Young learners to years 3 or 4 with SLD, MLD, Autism	Or any NC or common core standards curriculum

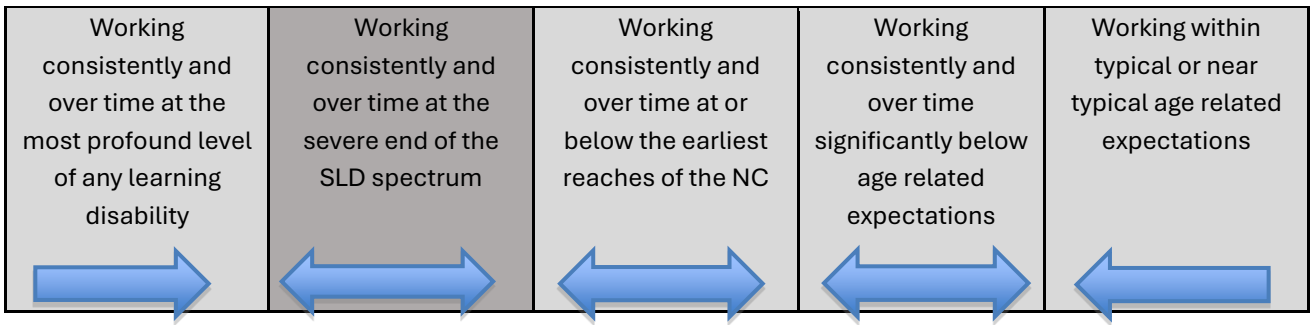


Figure 2. Equals' Informal Curriculum and Assessment Wheel



This pared down Curriculum focuses on Play, predominantly Free Play (with a capital F and P to indicate their significance) and re-imagines 'work' as play-based, on the principle that play is the essential preliminary platform of all higher forms of learning. Because play is free, it follows that learners must be free to play with whatever they want to play with and for as long as they want to play with it for. The logical corollary of these essential principles is that learners must also be free to not play should they choose, and this in turn leads us to a 'no-demand' approach; the exact opposite of all behaviourist pedagogies that arguably dominate the educational landscape for these very complex learners. The logic of staff accepting a no-demand approach quickly enables learners to perceive that they have a high level of control and leads directly to *self-regulation* (rather than being regulated by others). This in turn directly leads to huge reductions in challenging behaviour - why challenge when there's nothing to challenge about? - and a level of calm which ironically, then enables staff to place small demands when absolutely needed (such as going to home at the end of the day!).

It is difficult, if not impossible, to envisage any classroom delivering any National Curriculum lesson having a pedagogy based on 'no-demand', yet this model has been demonstrated to

be highly effective in special school settings (Waller, 2024; Carver and Holdsworth, 2024; Turner, 2024) and there is no reason why this cannot be replicated in mainstream settings, given certain basic principles being applied (see below).

Equals is currently working with primary mainstream schools in Sunderland, Manchester, Lancashire and two London boroughs and has clear evidence that what works in special schools is equally effective in mainstream. We are, as at January 2025, in the early stages of this action research, but will have evidence to share within the next 12 months.

The Equals Informal Curriculum offers a pedagogically sound curriculum and assessment model that is practical, workable, tried and tested, *providing* school leaders, teachers, TAs, parents and carers are able to embrace the concept of change and different.

Imagining another different solution.

Equals Semi-Formal Curriculum is also, as far as we're aware, the only fully formed curriculum written for learners of any age working consistently and over time at developmental levels at or below the beginnings of England's National (and indeed, any other national or common-core standards) Curriculum. The Informal Curriculum works on the basis the pupils and students are learning to be; the Semi-Formal Curriculum works on the basis that pupils and students are learning to do, with teaching and learning taking place in real time, in real context, and thereby having real meaning. This is not an abstract theoretical model, but is concrete and functional.

This curriculum took four years to write and is a work of some depth. It forms the basis for both Equals' Informal and Formal Curriculums (see above). One of the core subjects, *My Independence*, argues that teaching and planning must be designed to maximise individual learners' levels of independence in shopping, cooking and travel training, whilst still recognising that they are highly unlikely to ever be secure in double digit numbers and many will never be secure in numbers beyond 3. Again, there is evidence that this is a highly effective model when taught well (Williams, 2024; Robinson, 2024) proving that pupils and students who are living with SLD do not need discrete literacy and numeracy teaching to maximise their potential for independence. On the contrary, time spent discretely covering the same literacy and numeracy curriculum as their neuro-typical, conventionally developing peers were working on at the ages of 4, 5 or 6, is merely likely to reinforce their experience and understanding of failure.

Figure 3. Equals' Semi-Formal Curriculum Wheel



Different is quite a challenging concept, especially when so many things change. On the surface this might seem to be just about pedagogy, which of course includes the 'why' as well as the 'how' of education, which directly leads to embracing the concept of different curricula. However, such fundamental 'differents' also, of necessity, lead to changes in teacher and TA training and CPD, assessment, the tracking of sequential learning, our understanding of progress and what that means, our ambition for our learners, planning, recruitment, leadership, organisation, resourcing, budgets, school, classroom and playground design. This is a *lot* of change which can appear exceedingly daunting, without the knowledge that it can be done, given the will, the application and the attention to detail that the schools who have worked with the Equals Curricula have demonstrated from the start of their journeys.

Conclusion

In answering the question noted on the opening page of this paper, Equals does not believe that it is outside of the remit or ability of either individual LAs or individual mainstream schools (whether primary or secondary) to cater for the vast majority of high needs/low incidence pupils and students. There are however, pre-conditions to working within such a philosophy, namely, that we must:

- Stop limiting thinking to 'the same'. This is especially pernicious when it comes to curriculum and entirely misdirected. 35 years plus of the National Curriculum should at least have taught us the not *all* children, young people and adults thrive within it, however much it is differentiated and however well it is taught.

- Allow schools to open up their pedagogical and curriculum options to ‘different’.
- Stop excluding a small but significant number of children from the right to a meaningful and appropriate education.
- Recognise the need for specialisation and don’t confuse this with highly emotive words such as segregation and exclusion.
- Utilise the spare capacity occasioned by falling primary school rolls.
- Recognise each school as a community of different but equal partners all involved in the process of education which can provide a fully inclusive educational system fit for the 21st century.

Such changes would in turn, enable LAs to consider for long-term planning by:

- Phasing out the placement children into extraordinarily expensive non-maintained (private) special day schools which have proliferated of late, which may (or may not) provide a sound service but which cost *at least* three times that which any LA would expect to allocate to a maintained special or mainstream school. The over-use of such profit making options is born out of short-term, crisis management, bleeds LAs of much needed resources and is not necessary.
- Reviewing the number of residential placements which again, normally operate outside of the state-maintained sector. The prospect of educating happy, confident, optimistic children in state-maintained mainstream and special schools may be a major first step towards reducing LAs increasing dependence on such institutions noted by the National Children's Bureau (2024) and thereby achieving a more manageable and cost-effective balance.

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Plenary summary

This summary collates comments, feedback and verbatim quotes from delegates, following group discussions about the seminar topic.

Assessment

There was broad agreement that the current modes of assessment, and the overt sense that these modes place a particular emphasis on what learners fail at, are inappropriate for many children and young people with SEND.

A theme across the group discussions was creativity and flexibility. There were calls for a greater use of person-centred, strengths-based approaches to assessment, which are needs-led – not diagnosis-led – and which start from an assumption of competence; that is, of what children and young people can do, rather than what they cannot do. Delegates also talked about moving away from age-related assessment, and making greater use of open-book assessments/exams (the IGCSE was cited as an example).

Greater investment in teacher competence and confidence to assess effectively in the classroom, and greater flexibility and trust in the profession to be able to utilise different schemes and approaches matched to the needs of learners, were seen as essential to the success of a more progressive and fit-for-purpose system of assessment.

Curriculum

There was a general view that the process of reviewing and revising the curriculum was an opportunity to rebalance the curriculum away from an overriding focus on knowledge, mastery, and synthetic phonics – all of which were signatures of the previous government's curriculum agenda – and towards more contemporary, progressive, and inclusive topics.

There was broad agreement that an inclusive curriculum ought to incorporate coverage of diversity, equality, disability rights, human rights, social justice, and discrimination, and that these topics ought to be reflected across and within subjects – not restricted to the PSHE/Citizenship curriculum. The lack of flexibility in the secondary school curriculum (an artefact/consequence of England's high stakes education system) was cited as a barrier to schools being able to take a more creative approaches to curriculum design and delivery.

The discussion groups raised a couple of rhetorical questions. Firstly, reflecting the 'idea of sameness', there was a question about whether having one national curriculum is necessarily helpful, and whether it might be appropriate to consider parallel curricula that cater for a variety of learner needs and interests.

Secondly, there was the question about whether we should be considering the features of an inclusive curriculum *fullstop* (i.e. for all learners), rather than limit thinking to an inclusive curriculum for learners with SEND specifically/only.

This was consistent with several calls for a ‘more revolutionary approach’, compared with the more limited one that the review appears to be offering). A more revolutionary or ambitious review could address the fundamental issue of designing the curriculum that children and young people need in order to equip them for ‘the world they are in today, and the world they will be in tomorrow’. With this in mind, there were calls for greater coverage of what were broadly labelled ‘life skills’ and critical thinking in a modern, refreshed curriculum offer. The latter is a seemingly pertinent call in an era of ‘fake news’, AI-generated content, and the abandonment fact-checking processes on social media.

There was a shared sense that if the curriculum and assessment review leads only to tweaks to what currently exists, the exercise will have been a missed opportunity. Discussing what an inclusive curriculum *fullstop* looks like may get us to a ‘radical’ and ‘more exciting’ space, which is ‘relevant’ for and to *all* children and young people.

Finally, the discussion groups frequently touched on pedagogy, which is a topic that is explicitly outside the remit of the curriculum and assessment review. These mentions were a reminder that pedagogy is not indivisible from curriculum and assessment.