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National Assembly for Wales

Children and Young People Committee

Education (Wales) Bill : Stage 1

Response from : British Dyslexia Association

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**The British Dyslexia Association**

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## **Introduction**

The British Dyslexia Association (BDA) welcomes the opportunity to consult on the Education (Wales) Bill. Dyslexia affects around 10% of the population, and frequently co-occurs with related specific learning difficulties, making this by far the largest disability group. Although the Welsh government reports a decrease in the number of pupils with a statement for SEN<sup>1</sup>, the Westminster Department for Education, notes that the total number of pupils with SEN in 2011 was 1,449,685, representing 17.8 per cent of pupils across all schools in England<sup>2</sup>. This figure is slightly higher in Wales as the 2013 School Census reports that 22.4% of all pupils at primary, middle, secondary and special schools in Wales have some form of special educational need. This is evidence of the considerable impact dyslexia and other specific learning difficulties (SpLD) is having on current educational practice.

Despite representing one of the largest learning difficulty and disability groups, pupils with SpLDs must contend with poor levels of awareness throughout educational, health and care establishments. As such many pupils go unidentified, with as many as two thirds only being assessed and appropriately supported in Higher Education: unfortunately for those who never reach advance their academic careers this far even less support is available.

The BDA runs the only free, national dyslexia helpline in the U.K., welcoming enquiries from all individuals and organisations: parents, students, teachers, adults, employers, professionals and any organisational body. Currently the Helpline answers around 12,000 calls and 4,000 emails in a year. Approximately half of these calls come from parents with educational issues, with increasing numbers relating to older children with difficulties with Further and Higher Education, apprenticeships, employment, discrimination, tests and exams, issues in the judicial system, coping with life in general. The BDA has a network of 60 affiliated Local Dyslexia Associations round the country, to whom the Helpline can refer callers for local information, advice and support. The BDA gives training to schools, companies and organisations and has a large organisational membership.

The BDA also accredit courses such as ALSA (Association of Learning Support Assistants), ATS (Accredited Teacher Status) and AMBDA (Associate Member of the BDA). There is career progression from Teaching Assistant onwards via ALSA to AMBDA. Our Dyslexia Friendly Quality Mark is used by many schools In England and Wales to gauge their ability to provide children and parents with the best support in SEN.

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<sup>1</sup> National Statistics for Wales. First Release; Pupils with Statements of Special Educational Needs: January 2013

<sup>2</sup> Department for Education. Statistical Early Release: Special educational needs in England, January 2011.

## **BDA response**

The Bill aims to legislate in the following areas:

- Education Workforce Council - Registration and regulation of teachers and the wider workforce;
- Reform of the registration and approval of independent schools in respect of special educational needs;
- Assessment of post-16 educational and training needs and specialist Further Education (FE);
- Harmonise School term dates
- Remove the appointment of HM Chief Inspector and HM Inspectors of education and training in Wales under section 19 of the Education Act 2005.

The BDA broadly backs the aims of the Education Bill and feels that any increased help for those with or working with people with SEN is to be supported. We would like to comment in particular on the following –

### **1. Registration and regulation of teachers and the wider workforce**

The BDA supports the proposed registration system for the wider workforce. The BDA awards are an appropriate structure for the registration in respect of 'Specified Work' and are appropriate for those working with pupils with literacy and numeracy difficulties. Having a teacher with AMBDA and or Assessment Practising Certificate (APC) would reduce the need to use Careers Wales and therefore be more economical as well as ensuring early identification of SEN.

Enrolment on an ATS or Approved Teacher Status course (for those without QTS) would be a useful part of an induction as well as a CPD programme. The latter could form part of the advice published by the Education Workforce Council. There is also useful information on CPD to be gained for teachers on the Professional Framework set up by the SPLD Trust which is our umbrella organisation.

### **2. Reform of the registration and approval of independent schools in respect of special educational needs**

In evaluating the registration of schools for pupils with ALN the BDA strongly believes that the qualifications of the staff should be congruent with the needs of the pupils they are working with. AMBDA status for specialist staff would be seen as the 'gold standard' as this would allow for the correct assessment of pupils with ALN and subsequent support which will enable them to improve their literacy and, if necessary, numeracy skills.

The qualifications of staff should be checked at the annual monitoring visit and published in the ESTYN reports and on the school's website. The BDA would wish

that all schools consider becoming Dyslexia Friendly and achieving their Quality Mark.

### **3. Assessment of post-16 educational and training needs and specialist Further Education (FE);**

The BDA has been working to promote greater equality and inclusion in post-16, principally vocational training, courses for over three years. We have focused this attention on the Westminster Government's priority area of apprenticeships. This is important due to the considerable investment of public money, over £1 billion. In Wales we note an increase in those Not in Employment, Education or Training (NEET) has increased for 19-24 year olds to 23% from 22.2% in 2011. Similarly we know that data from the National Apprenticeship service suggests that around 35,600 (8%) apprentices declared a learning difficulty and/or disability. Whilst this figure represents an increase compared to 2005/06 (19,200), the proportion reduced over this period from 11.1% to 8%, with successive reductions in the past 3 years<sup>3</sup>. The number of apprentices with Learning Difficulty/Disability (LDD) has fallen again to 7.9% or 20,240 in the first six months of 2012. This is particularly the case for the proportion of 19-24 year olds, at a time when apprenticeship numbers are on the increase. It is our contention that difficulties in secondary education related to dyslexia and SpLDs is increasing the number of NEETs, as discussed below.

Calls to our National Helpline suggest that apprentices with LDD are exclusively from those individuals who have already acquired an apprenticeship placement. As such we cannot be sure as to what extent these individuals have difficulty with the application and selection process. As a 'hidden' disability dyslexics can usually navigate recruitment processes because of strong verbal skills. The number of apprentices who joined a training scheme, as an existing employee, is estimated to be around two thirds. There is some variation in these numbers dependent upon an apprentice's framework. However in Health, Public Services and Care, Retail and Commercial Enterprise and Business, Administration and Law, around three quarters of apprentices (74-78%) were already employees of the organisation when they started their apprenticeship.

We believe that training providers are failing LDD apprentices in relation to the guidelines published by the Joint Council for Qualifications. 'Access Arrangements, Reasonable Adjustments and Special Consideration (General and Vocational Qualifications)' clearly stipulates that:

'Access arrangements and reasonable adjustments

5.4 The centre agrees to:

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<sup>3</sup> BIS Select Committee (2013). The Fifth Report of Session 2012-13 of the Department for Business, Innovation and Skills

- Ensure that it will recruit with integrity with regard to both general and vocational qualifications;
- Ensure that learners will have the correct information and advice on their selected qualification(s) and that the qualification(s) will meet their needs. The recruitment process must include the centre assessing each potential learner and making justifiable and professional judgements about the learner's potential to successfully complete the examinations/assessments and achieve the qualification(s). The centre's assessment must identify, where appropriate, the support that will be made available to the learner to facilitate access to examinations/assessments;
- Ensure that where a candidate with a learning difficulty requires an assessment of his/her needs, he/she is assessed by an appropriately qualified specialist assessor'

Clearly if apprentices are being pressured to leave their training, because of the perception that they cannot complete Functional/Key Skills, centres are either in contravention of these guidelines or simply do not have the understanding to deal with these additional needs. The provision of auxiliary aids, a duty under the Equality Act (2010), is also an area we have been contacted about. As the case below shows:

### Case Study 1

Three months ago I was employed as a business and admin apprentice. My employer found it difficult to get me on an apprenticeship course because I struggled with Functional Skills tests in Maths and English. I couldn't get 70%. I thought apprenticeships were the vocational way into employment. I was unemployed for two years before someone gave me a chance. I was wondering how many SEN young people are unemployed? and who are having difficulty in getting an apprenticeship. Where I work they are going to keep me because they can see I can do the job and they are pleased with the work I do. They are looking into me doing a Social Digital Apprenticeship with the an Academy as they aren't bothered about my grades. I have a degree.

It makes me feel upset that there are lots of capable young people out there who cannot show off what they can do because they struggle to do the first steps of the qualifications. I think I will be alright because I am working with some fantastic people who are helping me grow...

A failure to provide reasonable adjustments is a considerable barrier to LDD

### Case Study 2

Rachel was offered her apprenticeship training as she already worked for her employer, an independent florist. Both Rachel and her employer thought this was the perfect way to give her more skills and improve her confidence and future prospects. As Rachel notes; "It was really exciting at first, I worked at the weekend or at the busier times, so I thought things might change for the better".

Rachel had the full support of her employer the whole time, but unfortunately this was not to be the case for her training provider. Rachel's dyslexia means she has a poor working memory and difficulty with information process, although she is generally of a high level of intelligence and has excellent verbal skills. This is a benefit to her customer-facing role, which often involves spending long periods of time with customers on planning important occasions like weddings. However her difficulties are especially prevalent in a classroom setting where her poor memory and processing skills work against her.

Rachel's College has suggested that she is not fit to undertake an apprenticeship because of the discrepancy in her cognitive profile. They have suggested that she needs to take on a Traineeship, a new government initiative to support those with little or no skills or prior qualifications. Such a route is wholly inappropriate for someone of Rachel's ability, and it is unlikely that she would find this fulfilling. As she herself notes; "I'm not going back to be in some kind of dunces class, I'm not thick you know".

apprentices, especially in an assessment context like Functional/Key Skills. Asking an apprentice to leave a training scheme, due to a refusal of training providers or employers to provide support, suggests a discriminatory practice.

The acquisition of literacy and numeracy skills and any subsequent success in Functional/Key Skills testing, is of course highly dependent upon the quality and

effectiveness of tuition apprentices receive. Apprentices with dyslexia or other SpLDs may have struggled at school to acquire the necessary proficiency in literacy or mathematics; either because their difficulties were not identified or because the teaching and learning environments were not accessible to them.

We note that Functional/Key Skills tutors specifically, are poorly equipped and generally lack the necessary skills and knowledge to teach apprentices with dyslexia. The BDA helpline has received enquirers from Functional/Key Skills tutors and training providers asking us to provide them with guidance on how to teach literacy and numeracy to their dyslexic apprentices. Functional Skills tutors do not have to be qualified teachers as for other education sectors and this is very clearly having an affect on the acquisition of skills and the application of these skills in an exam setting. The case study below is an extract from a recent email we received from a Functional Skills tutor, demonstrating the lack of awareness:

#### Case Study 3 (Private Training Provider for Apprenticeships)

Within the last week we received this request from a Functional Skills tutor from a private learning provider:

'We are a training provider which provides NVQ qualifications to people around the UK. Within these NVQ our learners have to sit functional skill tests, which are English reading, English writing and Mathematics. A number of our learners have dyslexia, myself and some of the learners was just wondering if you know of any websites or resources which may help them to achieve a pass in these tests. Our learners are of the ages of 16 and above. The functional skill tests are roughly the same grade as GCSE or key skills.

If you have any information it would be much appreciated, not only for myself (functional skills tutor) but also for our learners.'

This was received from an organisation which carries that 'City & Guilds Approved Training Centre' logo on its website. Interestingly the training providers website insists:

'These [Functional] skills are essential skills underpinning success in education, employment, lifelong learning and personal development. They are vital to compete in the employment marketplace today. All apprentices have the opportunity to improve their communication, numeracy, team work, problem solving and IT skills. The difference with 'X' Academy is that this training is carried out in the context of the business the learner is employed by, not in a generic format. This brings this type of learning to life and makes it more relevant to the learner's job role.'

Clearly the opportunity for an apprentice to 'improve' his/her skills, which are 'vital to compete in the employment marketplace', is somewhat undermined by a tutor who has no understanding of how dyslexia effects learning or teaching practice.

We therefore urge all legislative bodies to ensure open, fair and equal access to all of the opportunities provided by public bodies. This is already mandated by equality legislation at national and international levels (through signatories to the United Nations Conventions on the Rights of Disabled People). Although it can often be difficult to determine at what extent the situation in England applies to Wales, we do know that such difficulties are present in Northern Ireland and Scotland. This is especially the case when training providers use the English Exam Boards, who we have also worked with to overcome these difficulties.

We are keen to work with the Welsh Government to ensure equality and inclusion throughout the emerging education system. We are grateful for this opportunity to respond to the current consultation and hope to work collaboratively with the Welsh Government and other agencies in the future.