

Specialist education support services for children with hearing impairment: Advice for commissioners

We use the term 'deaf' to refer to all types of hearing loss from mild to profound. This includes deafness in one ear or temporary hearing loss such as glue ear. We use the word 'parent' to refer to all parents and carers of children.

Introduction

This guide is for directors of children's services and other local decision-makers in England. It is designed to:

- give you information and advice about the importance of specialist education or hearing support services for deaf children so you can help to make sure that deaf children in your area get the right education support
- remind you of the issues and legal requirements that need to be taken into account when proposing any changes to these vital services or in carrying out any local strategic reviews
- correct some common myths and misunderstandings about deafness.

In this factsheet, we use the term deaf children to refer to all children and young people aged 0 to 25 with any level of hearing loss or 'impairment'. We use the word 'parent' to refer to all parents and carers of children.

A separate guide has been produced with advice to commissioners where considering any changes to specialist provision within mainstream schools (i.e. resource provisions or bases).¹

***For citations, please see endnotes on page 18.**

Contents

Childhood deafness: some key points	3
Myths and misunderstandings	4
What do specialist support services for deaf children do?	5
Considerations when making decisions that may impact on services	6
Assess and audit provision	6
Arranging provision and keeping it under review	7
Ensuring the funding system delivers help to where it's needed	8
Considering the impact of proposed changes	9
Coproduction and consultation	9
Improving efficiency and effectiveness	11
Joint commissioning between local authorities	12
Joint commissioning between education, health and social care	12
Checklist	13
Working in partnership	13
Annex A: The role of a Teacher of the Deaf	14
Assessments	15
Teaching and learning	15
Training and support for staff in early years settings, schools, colleges and other education settings	15
Use of technology	16
Creating a good listening environment	16
Effective multi-disciplinary working	16
Social and emotional development	16
Working with and supporting parents and family	16
Annex B: Heads of Services	17
Endnotes	18
About the National Deaf Children's society	20

Childhood deafness: some key points

Deafness is not a learning disability and non-verbal IQ results do not show significant differences between hearing and deaf children². But government figures consistently show that deaf children are not making the educational progress they are capable of.³

This doesn't have to be the case. With the right support, deaf children should make the same progress and reach similar levels of attainment as other children. **Decisions made in your local authority can help to make sure this happens.**

Teaching and learning takes place through the main senses of sight and hearing. Having a hearing loss therefore presents deaf pupils and those who teach them with complex challenges in developing language and accessing learning. **Research shows that even a mild hearing loss can have a significant impact.**⁴

Because permanent deafness is a low incidence need, mainstream teachers and other education staff are unlikely to have the experience, knowledge and skills to support deaf children to access the curriculum. Therefore deaf pupils, their teachers and other education staff will depend on support from specialist Teachers of the Deaf to help deaf children progress in their education.

In addition, Teachers of the Deaf also play a critical role in the early years. Unlike other teachers, Teachers of the Deaf work directly with deaf children and their families from a very early age, throughout their education. As the majority of parents of deaf children – 90%⁵ – have no prior experience of deafness, Teachers of the Deaf can play an important role in providing advice and support to families, particularly on communication and language development, as well as emotional support, helping parents come to terms with their child's diagnosis. They also advise education staff in nurseries and other early years settings on the adjustments they need to make to ensure effective inclusion.

Failure to ensure that a deaf child gets the right support, right from the start, will result in higher support costs in schools as the child gets older.

Our team of regional directors work to influence and support local decision-makers on the needs of deaf children and can talk through any of the issues raised in this factsheet. Details of how to contact your regional director can be found on page 13.

Myths and misunderstandings

Myth: cochlear implants and new technology mean deaf children no longer need support.

Fact: cochlear implants do not 'cure' deafness and no technology turns deaf children into 'hearing' children. Children with cochlear implants and advanced hearing aids still need support from qualified Teachers of the Deaf.

Myth: newborn hearing screening and vastly improved hearing technologies mean that more deaf children are now diagnosed earlier, have the potential to use spoken language and therefore don't need as much support as before.

Fact: support from Teachers of the Deaf is actually more, not less, important. This will help to maximise the effects of these positive developments and identify any language, communication or learning needs that may be masked by improved speech intelligibility.

Myth: children with unilateral (one-sided) or mild hearing loss aren't deaf and don't need help.

Fact: research has shown that mild deafness can have a significant impact on outcomes and there is a very significant gap in attainment with hearing children⁶. Each child's needs should be considered on an individual basis and specialist support should be provided as needed.

Myth: local authorities don't need to provide specialist help to pre-school deaf children – this is the responsibility of the NHS.

Fact: the SEN and Disability Code of Practice defines SEN and SEN provision for the age ranges 0–2 and 3–5. It lists specialist teaching support, including from Teachers of the Deaf, as being among the services that pre-school children might need. The School Finance Regulations state that the Dedicated Schools Grant should be used to fund specialist educational support for these children. A failure to ensure that high quality early intervention services are in place is likely to higher costs in supporting deaf children who have failed to achieve good outcomes in language and communication in their early years.

Myth: most deaf children have statements or Education Health and Care plans with individually assigned resources.

Fact: in 2017, only 19% of deaf children had a statement or an Education, Health and Care plan⁷. There remains a very significant attainment gap that needs to be closed for deaf children with and without statutory plans.

Myth: there is no obligation for the local authority to provide education support for young people once they have left school.

Fact: young people in colleges and on apprenticeships can now have an Education, Health and Care plan. The local authority retains statutory responsibility for these young people. The SEN and Disability Code of Practice also applies to children and young people aged 0 to 25. Local authorities will need to ensure that their services for deaf children are adequately funded and able to meet the needs of deaf young people post-16.

Myth: services for deaf children are double-funded as schools already receive £6,000 of funding for high needs pupils.

Fact: Since 2013/14, the Department for Education has included all funding for SEN services within the High Needs block – with no disaggregation of funding for services to children with higher needs than others⁸. For a local authority to argue there is double-funding, they would

have to show that their entire high needs budget has been delegated entirely to all schools and settings, an approach which is discouraged by Ofsted and others (see later).

What do specialist support services for deaf children do?

Specialist support services for deaf children normally consist of a number of Teachers of the Deaf and other specialists (including, for example, communication support workers, educational audiologists and higher-level teaching assistants). Teachers of the Deaf are teachers with an additional specialist **mandatory**⁹ qualification in teaching deaf children.

Teachers of the Deaf play a range of important roles, including the following.

- Supporting parents of pre-school deaf children at home including advising on how to support their child's development and, in particular, their language and communication skills.
- Undertaking specialist assessments to get a full understanding of the child's needs so this can be used to inform plans, provision, and teaching and learning approaches.
- Advise staff in early years settings, mainstream schools, special schools and post-16 settings on how best to support deaf children to make good progress and achieve good outcomes. This support is especially important when the child is transitioning to a new education setting.
- Providing direct teaching support, including in schools with resource provisions.
- Working with other professionals who support deaf children, including for example, speech and language therapists and social workers for deaf children.
- Advising on the effective use and maintenance of hearing technologies and improving the listening environment.
- Supporting deaf young people in making a successful transition to adulthood and independence.

The important role of Teachers of the Deaf and specialist support services in improving educational outcomes for deaf children has been widely recognised.

- "It is a priority to improve the educational outcomes for all children and we recognise the important role specialists, such as Teachers of the Deaf, play in meeting this goal." ¹⁰ Minister of State for Children and Families, Department for Education.
- Many of the changes introduced by the Children and Families Act 2014 rely on support from a Teacher of the Deaf to ensure effective implementation. For example, accompanying regulations state that advice from a Teacher of the Deaf must be sought in any Education, Health and Care needs assessment. Teachers of the Deaf can also provide specialist advice on assessments and teaching strategies to ensure effective implementation of the 'assess, plan, do, review' cycle.
- Ofsted found in a study of best practice that when deaf children progressed well, it was because services were underpinned by a good understanding of the need for specialist services for deaf children and a strong commitment to maintain them. ¹¹
- In addition, in a report¹² on the further education and skills sector, Ofsted stated that providers with "effective systems for monitoring the quality of teaching and learning... used specialist staff to observe learning sessions, interview learners and review learning

materials to identify good practice and develop training plans for the teaching and support staff.”

- An expansive international literature review found that: “The learning styles and needs of deaf and hard-of-hearing students differ sufficiently from those of their hearing peers to require specialised programming and teaching methods or strategies if children are to achieve their full potential. Special assistance thus is also required for teachers.”¹³

More information on the role of a Teacher of the Deaf and a head of a specialist education service for deaf children is shown in the annexes.

Considerations when making decisions that may impact on services

There are a range of considerations and legal requirements to take into account when making any decisions that may impact on specialist education services for deaf children or in carrying out any strategic reviews. This section sets out five key steps. These should be read alongside the Department’s for Education High Needs Funding: Operational guide 2017 to 2018¹⁴ which includes information on preparing for any local strategic reviews.

It is important to remember that, even where services may be sub-contracted out to third parties, the commissioner remains legally responsible for ensuring that the following legal requirements are met. The commissioner should therefore retain close oversight of how the service is being managed.

1) Assess and audit provision

To ensure you can make an informed decision on any changes, you should at the very least have basic information on deaf children in your area, including:

- the total number of deaf children, their age, educational placements and any future trends (for example, arising from demographic growth)
- the needs of deaf children, and their families. This will include information on levels of deafness, use of additional languages and additional disabilities
- the educational outcomes and developmental milestones achieved by deaf children and whether the results are in line with other children. The National Sensory Impairment Partnership (NatSIP) has developed a range of tools to help identify outcomes and how services are adding value¹⁵
- data on deaf children’s post-school destinations and whether these are in line with those of other children
- the range and quality of provision (including resource provisions and special schools) available (both within the area and nearby), with reference to quality standards and feedback from parents and deaf children.

This information may also form part of your local authority’s Joint Strategic Needs Assessment.

Section 22 of the Children and Families Act 2014 requires local authorities to identify **all** children in its area who may have a special educational need or a disability. Information on the number

of children may be available from your local authority's register of disabled children. Local authorities have a duty to maintain such a register and, in a ruling against Warwickshire local authority, a judge stated that:

"Plainly unless this local authority has such a register and knows more or less precisely how many disabled children there are in the county it cannot make a fully informed decision about budgetary allocation or as to the terms of a proposed Local Offer." ¹⁶

2) Arranging provision and keeping it under review

The Equality Act 2010 places a duty on local authorities to make reasonable adjustments – including through the provision of auxiliary aids – to ensure that disabled children are not placed at a substantial disadvantage. This duty is **anticipatory** and applies equally to local authorities as it does to education settings.

Separately, section 24 of the Children and Families Act states that local authorities are responsible for all children who have a disability (as well as a SEN) whilst section 27 of the Act also requires local authorities to keep provision for disabled children under review to ensure it is sufficient to meet their education, training and social care needs and that there are no gaps in provision. Disabled children and their parents must be consulted as part of any such review, as well as in any work to develop your Local Offer.

Paragraph 4.19 of the SEN and Disability Code of Practice states that:

"Local authorities must keep their educational and training provision and social care provision under review and this includes the sufficiency of that provision. When considering any reorganisation of SEN provision decision makers must make clear how they are satisfied that the proposed alternative arrangements are likely to lead to improvements in the standard, quality and/or range of educational provision for children with SEN."

Where provision is not sufficient, this may lead to requests for more out-of-area placements which could increase costs in the medium-term.

Where a deaf child has been identified as having a special educational need, local authorities are required under the Children and Families Act 2014 to make sure that the child receives the support they need to facilitate their development and achieve "the best possible educational and other outcomes". Local authorities are also required to assess their needs and, if necessary, determine through an assessment for an Education, Health and Care plan what provision is needed to meet those needs. These services cannot be withdrawn without a reassessment of a child's needs.

Many local authorities are able to provide specialist support to many deaf children at the SEN support stage without the need for a statement. Reducing SEN support at this stage is likely to trigger more requests for statutory EHC needs assessment, which is likely to add to spending in the medium term.

Since May 2016, Ofsted and the Care Quality Commission have inspected 'local area' provision for children with SEN and/or disabilities to identify their effectiveness in identifying and meeting

needs. These have included specific consideration of how vulnerable groups, such as children with a sensory impairment, are being supported.

A number of services use the National Sensory Impairment Partnership (NatSIP) Eligibility Framework for Scoring Support Levels.¹⁶ This is a guide to help peripatetic services identify the level of outreach support that children in its area should receive, based on their need. The framework does not itself state what level of support children should receive, as this will depend on the resources available locally. As the resource itself states:

“Whilst the NatSIP Eligibility Framework is designed to provide the basis for a fair allocation of available resources, it relies on professional judgement and should only be used as part of a full assessment by a qualified specialist sensory impairment teacher. For example, a detailed language profile may be used alongside the Eligibility Framework to support an adjustment in levels of provision. Professionals will know that use of the NatSIP Eligibility Framework is leading to effective identification of support when children are making good progress and achieving good outcomes.”

Thus, the NatSIP eligibility framework should not be used to justify a reduction in support to children who are **not** making good progress nor achieving good outcomes, or where continued support is needed for deaf children to maintain the progress and outcomes already achieved.

3) Ensuring the funding system delivers help to where it's needed

Government regulations specify that specialist educational services are funded through the High Needs Block within the Dedicated Schools Grant.

Because deafness is a low incidence disability, deaf children are unevenly distributed across the mainstream school population. There is therefore no funding formula using proxy indicators of need which enables funding to 'follow' the deaf child. As a result, we believe that funding for specialist education support services for deaf children, including specialist equipment such as radio aids, must be held **centrally** by, for example, a local authority. Ofsted has recognised the risks that come with delegation of funding to all schools.¹⁸ These risks include the following.

- Waste of valuable funding. It distributes resources to schools that don't have any deaf children, while schools with deaf children are unlikely to receive a sufficient sized share of funding to deliver the support needed.
- Difficulties in retaining specialist expertise to meet the needs of all deaf children in an area, whichever schools they attend, without a reliable source of funding.
- The disproportionate impact on the service and its ability to meet the needs of all local deaf children that small reductions or fluctuations in funding can have.

In specifying that this support can be funded through the High Needs Block, the Department for Education has also recognised the risks from delegation of funding for services for children with low incidence needs, including through traded services. In any moves to traded services or delegation of funding, local authorities will need to be able to explain why they are tolerating risks that the Department for Education has deemed unacceptable.

We recommend that funding for equipment for deaf children, such as radio aids, is held by the local authority, rather than education settings. A briefing by the National Sensory Impairment

Partnership (NatSIP) provides more information about funding arrangements for equipment. NatSIP has also produced a range of other briefings on education funding arrangements and its implications for services for deaf children.¹⁹

4) Considering the impact of proposed changes

You must ensure that any changes to the services meet the obligations set out under the Equality Act 2010 to promote equality of opportunity between disabled persons and other persons and to take steps to take account of a person's disability.²⁰ Local authorities must demonstrate they had due and **specific** regard to how any changes will impact on deaf children. This will require the local authority to provide an audit trail or documentation to show how this regard was had. As part of this, there is an implicit 'duty of inquiry' on the local authority to take reasonable steps to investigate the impact of any decisions they may make, including through public consultation (see section 5 on Coproduction and consultation below).

Though there has never been a specific requirement to produce an equality impact assessment, it is a common way of demonstrating that due regard has been had. We recommend that this assessment is carried out where any changes are being proposed that may impact on services for deaf children.

Case study: reversing cuts in Stoke on Trent

Legal action was taken by parents of deaf children, with support from the National Deaf Children's Society, against Stoke on Trent council after it became apparent that proposals to cut the number of Teachers of the Deaf had been put forward without any assessment of the significant impact these changes would have on deaf children. In the face of judicial review, local authority officials conceded and signed a 'consent order' agreeing to reverse plans for further cuts.

The SEN and Disability Regulations states that the Local Offer should include "information about any criteria that must be satisfied before any provision or service set out in in the Local Offer can be provided". Thus, the Local Offer should be amended and updated following any changes to how deaf children and their families can access support given by your local authority.

5) Coproduction and consultation

The involvement of parents and young people is now a requirement under section 19 of the Children and Families Act. This applies to decisions about individual support but also about local provision more generally. Section 19 does not set out any exemptions (for example, where a service is being sub- contracted to a commercial body) where this principle need not apply.

We believe that parents and young people have the right to be consulted about any change which may impact on education provision, including any changes to staffing arrangements. It is often only through consultation that the actual impact of any proposed changes can be fully established.

Indeed, where there is a proposal to withdraw an existing 'benefit', there is a common law duty of fairness on public bodies to carry out a consultation.

In 2018, in a [ruling](#)²¹ against Bristol local authority, a High Court set out the importance of full and proper consultation with parents of children with special educational needs and disabilities at the point when a budget is set. Consultation was identified, in this context, as a means of allowing the local authority to acquire further information about the impact of its decisions on disabled children and young people. A duty to consult was found to exist by reason of the duty of inquiry under the public sector equality duty, section 27 of the Children and Families Act and the common law duty to consult.

In light of a wider deficit to SEND funding, Bristol local authority had planned to make £5m of cuts to the High Needs budget in 2018/19. The High Court ruled that the local authority had acted unlawfully because they did not consult when these cuts to the High Needs budget were first being planned or decided upon.²² Whilst the local authority had consulted more generally on the wider Council budget in 2017, this made no explicit reference to planned cuts to the High Needs budget, even though this was under active consideration at the time. The ruling stated that consultation “must be essential preliminaries to any significant, sufficiently focused, and in financial terms apparently rigid, decision to impose a reduction in spending, even if taken as part of the setting of “a budget”.” The High Court had also been satisfied in this case that meaningful consultation had been possible. The local authority had had adequate time and sufficiently well formed proposals to consult well prior to the setting of a budget.

In addition, the High Court did not accept Bristol’s defence that:

- they would have consulted on the detail of the cuts to specific services at a later point. In other words, it is not enough to promise that a consultation will take place at a later point around **how** cuts will be made.
- the end result would have been the same anyway. As the High Court stated, “due regard to the specified needs may have led to a decision that it was not appropriate to reduce funding at all.” It was noted that, for example, the local authority could have considered using their reserves to address the deficit, and that Bristol local authority holds reserves higher than the minimum level required.
- that families would have recourse anyway to a right to individually challenge any reduction in support, by appealing against a failure to assess for an Education, Health and Care plan or against the contents of such a plan. The High Court ruled that, where a decision to reduce the overall budget has already been made, any individual grounds of appeal are then restricted.

The High Court also noted that the local authority had seemingly failed to consider the sufficiency of SEND provision in Bristol when setting the budget. It also stressed the need for local authorities to ensure the needs of children are considered throughout, and to **demonstrate** that this has happened:

“There is no evidence from the extensive paperwork... that members of the Council has any regard to the need to safeguard and promote the welfare of children, still less “actively promote” children’s welfare, when making the decision to proceed with the proposed savings. Indeed, the decision-making process appears to be driven entirely from the standpoint of ensuring a balanced budget by 2020/21.”

The planned spending cuts were quashed by the High Court.

The law²³ also requires that any consultation:

- allows respondents to make an informed response. This means setting out fully the implications for their deaf children and making documents accessible to families who use other languages as needed
- ensures adequate time for responses
- genuinely takes responses into account and is conducted with an open mind.

Section 4.12 of the SEN and Disability Code of Practice establishes some principles on how to ensure that young people are able to effectively engage with any consultations.

It is important that all relevant parents and young people have an opportunity to respond and give their views. You should therefore take steps to proactively draw their attention to relevant consultations and avoid limiting any consultation to selected stakeholders, who may not necessarily be representative of everyone's views.

Improving efficiency and effectiveness

We are keen to work in partnership with local authorities to identify best practice and the overall effectiveness of the specialist educational service for deaf children. General tips on how this can be achieved are set out below.

- Quality standards can help you deliver a better, more cost-effective service that improves outcomes and reduces the need for costlier intervention in later life. Quality standards for specialist services for children with sensory impairments has been published by the National Sensory Impairment Partnership (NatSIP), funded by the Department for Education.²⁴ A quality improvement pack has been produced by NatSIP to support services in demonstrating that they meet these quality standards.²⁵ They illustrate good practice and may help in developing local provision and support.
- Regular and ongoing consultation with deaf children, young people, parents and professionals is not just best practice; they may have their own suggestions and ideas for smarter working. As the SEND Code of Practice states:
“Effective participation should lead to a better fit between families’ needs and the services provided, higher satisfaction with services, reduced costs (as long-term benefits emerge) and better value for money”.
- Conducting full impact assessments will not only help you identify any risks or unintended consequences that may negatively affect deaf children, but will also allow you to consider in detail any actual savings that are likely to be made. It is important to be aware that, in many cases, the savings may be relatively small compared to the overall budget and that other factors may conspire to reduce the original savings expected.

Joint commissioning between local authorities

The SEN and Disability Code of Practice states that “partners should consider strategic planning and commissioning of services for placements for children and young people with high levels of need across groups of local authorities, or at a regional level” and the government’s high needs funding operational guidance identifies “more effective collaboration between local authorities” as a key outcome from local strategic reviews. We also strongly encourage local authorities to consider joint commissioning with other local authority education services. Many local authorities attempt to meet the diverse needs of all deaf children with just one or two Teachers of the Deaf. It is highly unlikely that such a small team will have the range of skills and expertise needed.

The Department for Education’s High Needs Funding Operational Guidance also encourages local authorities to consider working together in commissioning specialist placements:

“Sharing intelligence across a region would allow a group of local authorities to develop a strategic plan for meeting low incidence but high complexity needs, reviewing the quality and sufficiency of existing provision and working with providers to ensure the provision available meets both current and anticipated needs. This would offer a number of benefits, including reducing costs by removing duplication in the commissioning and quality assurance process. It would also allow highly specialised providers to plan ahead, ensuring the provision they offer reflects the likely demand from commissioning local authorities.”

Joint commissioning between education, health and social care

Section 26 of the Children and Families Act introduces a requirement for local authorities and health bodies to work together to jointly commission services for children with SEN and disabilities. As the SEN and Disability Code of Practice sets out, integration of services across education, health and social care can improve the quality of provision for disabled children. Again, the government’s high needs funding operational guidance encourages local authorities to use consider setting up ‘centres of expertise’ drawing together relevant professionals, both within and across local authorities.

In relation to deaf children, consideration might be given to joint commissioning between audiology and education services. This could lead to a better quality of support for deaf children, particularly in relation to the hearing equipment they use, and a better continuity of support from diagnosis onwards. Consideration could also be given to closer collaboration or co-location with speech, language and communication teams.

Consideration might also be given to joint commissioning between social care and education. Again, this can help ensure, for example, that families receive more support to help their child develop.

Checklist

If you do not have clear answers to the following questions, you should not approve any decisions to make changes to specialist education support services for deaf children.

- ✓ Do you have reliable figures on the number of deaf children in the area, where they are (or are likely to be) placed, their education progress, the outcomes they achieve and their post-school destinations?
- ✓ Have you audited existing provision to check compliance with relevant quality standards?
- ✓ In proposing any changes, can you demonstrate that you've had due and specific regard to the needs of all deaf children and the impact on their education progress?
- ✓ Have you consulted with deaf children and young people and their parents on any proposed changes and can you show you've had due regard for their views?
- ✓ Have you considered joint working with other local authorities to maximise the benefits from economies of scale and improve the range and depth of expertise schools, children and families receive?
- ✓ Have you sought advice from your local authority compliance officer to confirm that your proposals and the way in which they have been developed are not vulnerable to be challenged as unlawful?

Working in partnership

We help parents of deaf children to make sure that their children receive the support they need to make good educational progress. Our team of regional directors influences and supports local decision-makers on the needs of deaf children, including sharing examples of best practice, to make sure that this support is in place.

Contact your nearest regional director by visiting www.ndcs.org.uk/RDs or through our Freephone Helpline on 0808 800 8880 (voice and text), or email helpline@ndcs.org.uk.

Annex A: The role of a Teacher of the Deaf

The complexity of teaching deaf children and supporting their education is recognised in the government requirement that specialist teachers of children with sensory impairments should hold a mandatory qualification, a requirement not held in other areas of SEN.

Teachers of the Deaf are also unusual because they are expected to hold a range of expertise across different age groups. A Teacher of the Deaf may have a caseload of children aged 0 to 25 years across a range of different settings including nurseries, primary, secondary and special schools, and colleges. This requires them to have a good knowledge of the curriculum across all stages. Teachers of the Deaf are also unique in that they help families with pre-school children to support their child in developing good language and communication skills.

The important role of Teachers of the Deaf has been recognised by Ofsted in a number of documents, as shown below.

“Teachers of the Deaf had high levels of expertise and played a pivotal role in providing and coordinating support. They promoted deaf awareness among school staff working daily with deaf children, who did not all have expertise in this area. This ensured that they understood the communication needs of the individual children and that the necessary resources were put in place to meet their needs.”²⁶

“Pupils who worked with specialist teachers made greater academic progress than when they had to rely on other types of support, including teaching assistants. Specialist teachers gave a high level of skilled support, both academically and socially to individual pupils. They also liaised closely with other professionals and parents, and carefully monitored the work of teaching assistants.”²⁷

It is unlikely that teachers without the mandatory qualification have received the level of initial and ongoing training nor have the necessary experience and knowledge to ensure deaf pupils’ needs are assessed and met, and that they make good progress. It is even more unlikely that specialist teaching assistants will be able to fulfil the role of a Teacher of the Deaf.

A government specification for the mandatory qualification is available online.²⁸ This sets out, in full, the key competencies that a Teacher of the Deaf is expected to hold.

Any decision to reduce the number of Teachers of the Deaf or replace them with other staff should be made with a full regard to the impact this will have. Key questions that will need to be considered are shown on the following pages.

Assessments

Within the local authority:

- Who is qualified and able to: (i) identify which specialist assessments are most suitable for deaf children, (ii) be able to undertake them (iii) analyse the results and identify the implications for teaching and learning and (iv) use the results to set targets and develop teaching and learning strategies.
- Who has the necessary knowledge and experience to put appropriate arrangements in place to make sure that deaf children are not placed at a disadvantage when taking tests such as SATs and GCSE examinations?
- Who has the necessary knowledge and experience to advise on strategies to support children at SEN support stage, within the 'assess, plan, do, review' cycle?
- Who will contribute to an EHC needs assessment for a deaf child? Legislation requires that a Teacher of the Deaf must be involved in any such assessment.

Teaching and learning

Within the local authority, who will have the necessary training, knowledge and experience to:

- Fully understand the learning challenges deaf pupils face in nurseries, schools, colleges, other education settings and at home?
- Identify possible reasons why a pupil is not making expected progress and develop strategies to address this?
- Advise parents, particularly those where the child has yet to start school, on how they can promote the language and communication skills of their child?
- Advise mainstream teachers and other staff on strategies to ensure access to teaching and learning and that deaf pupils make good progress including delivering the necessary INSET?
- Advise mainstream teachers and other staff on differentiating the curriculum?
- Develop and deliver 1:1 tutoring to support lessons and ensure good progress is made?
- Provide targeted sessions to support the pupil's language development including working with small groups?

Training and support for staff in early years settings, schools, colleges and other education settings

Within the local authority, who will be able to ensure that education settings have the necessary skills and knowledge to:

- Deliver deaf awareness training to pupils and staff?
- Support and train teaching assistants and communication support workers and ensure they make an effective contribution to pupil progress, in accordance with guidance issued by the National Sensory Impairment Partnership?²⁹
- Support and train teachers and college tutors particularly those new to the setting who may not have received previous training or experience in teaching deaf children with high levels of need.

Use of technology

How will the local authority ensure that nurseries, schools, colleges and other education settings have the relevant training and competence to:

- Assess whether the pupil is a suitable candidate for radio aids and other assistive listening devices and ensure that they are used in accordance with national standards?
- Ensure all equipment checked is functioning and set up properly and troubleshoot any problems and provide appropriate support and training to, for example, teaching assistants?
- Liaise with audiology services and implant centres to ensure the setting has a detailed knowledge of the pupil's hearing loss, its implications and how to ensure the best use is made of equipment?
- Understand the implications of changes in hearing status and interpret audiological data?
- Provide advice on how the local authority can comply with its duty to provide auxiliary aids as reasonable adjustments?

Creating a good listening environment

- Who will be able to provide advice to nurseries, schools, colleges and other education settings on the acoustic qualities of teaching spaces and advise on how to improve the listening environment?

Effective multi-disciplinary working

- Within the local authority, who will have the necessary knowledge and skills to be able to liaise with audiology services, implant centres, speech and language therapists, social workers and mental health services to ensure these agencies provide effective support in meeting the needs of deaf children in the setting?
- Within the local authority, who will be able to liaise with other bodies to ensure that a deaf young person makes a successful transition to adulthood, in a way that ensures the deaf young person will be as independent as possible with full knowledge of the support available to deaf adults in their local community and their rights?

Social and emotional development

- Within the local authority, who will be able to provide advice to schools and other education settings on how to reduce deaf children's vulnerability to bullying, low emotional well-being, exclusion and child abuse?

Working with and supporting parents and family

- Who is able to advise and support the parents and family of the deaf child on the implications of their deafness for learning, how they can help their child make progress and prepare for transition to another school, college or employment?

- Under the newborn hearing screening programme, it is expected that any family whose child has been diagnosed as deaf will be contacted by a Teacher of the Deaf within 48 hours. Will this support still be provided?

Annex B: Heads of Services

“Services were underpinned by a good understanding of the need for specialist services for deaf children and a strong commitment to maintain them.”

Ofsted (2012) Communication is the Key.³⁰

Most specialist education services for deaf children employ a ‘head of service’. While the job title may vary, all heads of service will have a key role to play in ensuring that the service as a whole is working to improve outcomes for deaf children and narrow any attainment gaps. Some heads of service manage the service for vision impaired children, as well as for deaf children.

In some areas, it has been proposed to remove the head of service role. This is sometimes presented as part of a focus on ‘frontline’ roles such as Teachers of the Deaf. Any such proposal should first consider who would perform the below roles and whether any other person has the necessary skills and expertise to do so.

- Ensuring that progress towards outcomes is systematically recorded and monitored and used strategically to evaluate the impact of provision.
- Be able to respond to public requests for information about the service.
- Ability to make judgement on support allocation, based on an understanding of the individual needs of all deaf children in the area.
- Be able to promote the use of interventions based on up-to-date specialist knowledge and expertise of suitably qualified professional staff.
- Respond to feedback from parents and young people effectively.
- Deploy staff expertise effectively. This means that staff experience, knowledge and competencies are identified, developed, sustained, and recognised.
- Ensure that appropriate quality standards are met.
- Working closely with other services, such as audiology or social care services for deaf children.
- Ensure that funding is used in a way that matches need.
- Represent education at multi-agency Children’s Hearing Services Working Groups (CHSWG’s).
- Oversee the outcomes achieved by deaf children who are being educated outside of the local authority but who the local authority retains statutory responsibility for.
- Ensure statutory duties, including the Equality Act, are met in a way which has regard for individual child’s needs relating to their deafness.

The impact of any decision to remove the head of service role needs to be considered carefully. For example, you will need to consider what impact this will have on an existing team of Teachers of the Deaf. The absence of a head of service may result in more duties being passed to frontline practitioners, thus leading to a reduction in the amount of time they can spend supporting individual deaf children.

End notes

1. National Deaf Children's Society. Specialist Provision for Hearing Impaired Children Within Mainstream Schools: Advice for commissioners. www.ndcs.org.uk/professional_support/our_resources/education_resources (accessed 26 May 2017).
2. McCay, V. Fifty Years of Research on the Intelligence of Deaf and Hard-of-Hearing Children: A review of the literature and discussion of implications. *Journal of Deaf Studies and Deaf Education*. 2005. 10 (3).
3. National Deaf Children's Society. Note on Department for Education figures on attainment for deaf children in 2016 (England) www.ndcs.org.uk/data (accessed 26 May 2017).
4. Ear Foundation Experiences of Young People with Mild to Moderate Hearing Loss: Views of parents and teachers. 2015. www.ndcs.org.uk/research (accessed 26 May 2017).
5. Mitchell, R.E. and Karchmer, M.A. Chasing the Mythical Ten Percent: Parental Hearing Status of Deaf and Hard of Hearing Students in the United States. *Sign Language Studies*. 2004. 4: 138–163.
6. Ear Foundation Experiences of Young People with Mild to Moderate Hearing Loss: Views of parents and teachers. 2015. www.ndcs.org.uk/research (accessed 26 May 2017).
7. Consortium for Research into Deaf Education (CRIDE). CRIDE report on 2017 survey of educational provision for deaf children: England. 2017 www.ndcs.org.uk/cride (accessed 12 September 2018).
8. There was a period where academies were being double-funded for SEN services but this funding has since been deducted from their budgets.
9. See the Education (School Teachers' Qualifications) (England) Regulations 2003. Accompanying government correspondence states that: "The regulations apply to teachers employed in schools and not specialist peripatetic HI/VI/MSI teachers employed in [local authority] SEN support services. It would, however, be our expectation that such teachers would have the relevant mandatory qualification." The SEND Code of Practice (paragraph 6.61) also makes it clear that advisory teachers of deaf children should hold the mandatory qualification.
10. Hansard. Pupils: Hearing Impairment. 2010 <https://publications.parliament.uk/pa/cm201011/cmhansrd/cm101202/text/101202w0005.htm#1012037000017> (accessed 28 November 2018).
11. Ofsted. Communication is the Key. 2012. <http://www.gov.uk/government/publications/communication-is-the-key> (accessed 26 May 2017).
12. Ofsted. Moving Forward? How well the further education and skills sector is preparing young people with high needs for adult life. 2016 www.gov.uk/government/publications/preparing-learners-with-high-needs-for-adult-life (accessed 26 May 2017).

13. Marschark, M & Spencer, P.E Evidence of Best Practice Models and Outcomes in the Education of Deaf and Hard-of-Hearing Children: An international review. 2009. Center for Education Research Partnerships, National Technical Institute for the Deaf, Rochester Institute of Technology.
14. Department for Education. High Needs Funding: Operational guidance. 2017. www.gov.uk/government/publications/high-needs-funding-arrangements-2017-to-2018/high-needs-funding-operational-guide-2017-to-2018 (accessed 26 May 2017).
15. www.natsip.org.uk
16. L & P v Warwickshire CC & Safeguarding Children Board. 2015. <https://www.judiciary.gov.uk/wp-content/uploads/2015/02/l-p-warwickshire-cc.pdf> (accessed 26 May 2017).
17. National Sensory Impairment Partnership. Eligibility Framework. 2015. <http://www.natsip.org.uk/index.php/eligibility-framework/685-natsip-eligibility-framework-2015/> (accessed 26 May 2017).
18. Ofsted. Inclusion: The impact of LEA support and outreach services. 2005.
19. <http://www.natsip.org.uk/index.php/doc-library-login/natsip-briefing-documents-and-papers/funding-briefings/> (accessed 26 May 2017).
20. Department for Education. Equality Act 2010: Advice for schools. 2014. www.education.gov.uk/aboutdfe/policiesandprocedures/equalityanddiversity/a0064570/the-equality-act-2010 (accessed 26 May 2017).
21. KE, IE and CH v Bristol City Council 2018. <https://specialneedsjungle.com/wp-content/uploads/2018/08/KE-others-v-Bristol-City-Council-Approvedjudgment.pdf%20> (accessed 14 September 2018)
22. Legitimate public expectation is that the time to influence and challenge a proposed reduction to the funding of a specified element, such as special educational need provision, within a departmental budget is if, and when, it is considered by the Council as part of the process of setting a budget and not at some later stage when a reduction can be viewed as a fait accompli see KE, IE and CH v Bristol CC at para 96.
23. Broach, S, Clements, L & Read, J. Disabled Children: A Legal Handbook, 2nd edition. 2016. www.councilfordisabledchildren.org.uk/help-resources/resources/disabled-children-legal-handbook-2nd-edition (accessed 26 May 2017).
24. National Sensory Impairment Partnership. Quality Standards for Sensory Support Services in England. 2016. <https://www.natsip.org.uk/doc-library-login/quality-improvement-for-services/quality-standards-for-sensory-support-services/1044-quality-standards-for-sensory-support-services> (accessed 28 November 2018).
25. National Sensory Impairment Partnership. Quality Improvement Support Pack. 2016. www.natsip.org.uk/index.php/supporting-si-workforce/quality-improvement-standards (accessed 26 May 2017).
26. Ofsted. Communication is the Key. 2012. <http://www.gov.uk/government/publications/communication-is-the-key/> (accessed 26 May 2017).
27. Ofsted. Inclusion: Does it matter where pupils are taught? 2006. <http://www.education.gov.uk/publications/eOrderingDownload/HMI-2535.doc.doc> (accessed 26 May 2017).
28. National College for Teaching and Leadership. Specification for Mandatory Qualifications: For specialist teachers of children and young people who are deaf. 2015. http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/430094/HI_Template_FINAL.pdf/ (accessed 26 May 2017).

29. National Sensory Impairment Partnership. Raising the Achievement of Pupils with a Hearing Impairment: Effective working with teaching assistants in schools. www.ndcs.org.uk/document.rm?id=6928 (accessed 26 May 2017).
30. Ofsted. Communication is the Key. 2012. <http://www.gov.uk/government/publications/communication-is-the-key/> (accessed 26 May 2017).

About the National Deaf Children's Society

The National Deaf Children's Society is the leading charity dedicated to creating a world without barriers for deaf children and young people across the UK.

For more information for professionals visit our website at www.ndcs.org.uk/professionals.
For information to support parents visit www.ndcs.org.uk/family_support.

© National Deaf Children's Society

Last reviewed: September 2018

This information can be requested in large print or as a text file.

© The National Deaf Children's Society [month, year]

Next review due: [month, year]

For resource references or to give us your feedback email

informationteam@ndcs.org.uk or visit

www.surveymonkey.co.uk/r/informationfeedback

The National Deaf Children's Society is a registered charity in England and Wales no. 1016532 and in Scotland no. SC040779.

