Understanding the challenges of enacting national education policy for special school Headteachers in England

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Executive Summary

In England, 'special schools' educate 153,169 young people, or 1.69% of the school age population (DfE, 2023b). These learners are identified as having very significant and complex levels of Special Educational Needs and Disabilities (SEND), although these needs and disabilities come in many forms. England has special schools which specialise in particular needs (for instance Autism Spectrum Disorder, Moderate, Severe or Profound and Multiple Learning Disabilities, Social, Emotional and Mental Health), as well as broad-spectrum special schools which educate a diverse range of students. Despite an international policy move towards inclusive education (UN, 2006; UNESCO, 2020), successive UK governments in recent years have reaffirmed their commitment to the continued existence of special schools in the English education system (Cabinet Office, 2010; DfE, 2023a). Subsequently, the percentage of young people educated in special schools has increased steadily over the last decade.

In England, national education policy is typically issued by the Department for Education (DfE), sometimes in conjunction with the Department of Health (DoH) or the Cabinet Office. For the purposes of this study, 'national education policy' is understood expansively to encompass any document or statement issued by a relevant central government body which is intended to provide direction to schools across England including special schools. The policies discussed in this report have diverse legal statuses – statutory guidance, guidance, Green Papers – although the last of these might more strictly be considered a 'policy proposal' awaiting public consultation.

Social media and anecdotal evidence indicate considerable frustration around the lack of 'fit' between the operational context of a special school and the wording of national education policy which often seems to centre the needs of non-disabled mainstream learners. However, there is little recent research systematically exploring this issue. According to Halpin & Lewis (1996), the National Curriculum, launched in England in 1989, 'was planned and introduced with little reference to pupils with special needs, particularly those attending special schools or units' (p.95). A quarter of a century later, Imray et al. (2023) decry the 'use and abuse of research' (p.51) in the government's recent Reading Framework (2023c), which insists on near-universal use of Systematic Synthetic Phonics (SSP) with limited understanding of the vast differences between forms of 'SEND' such as dyslexia and Profound and Multiple Learning Disabilities (PMLD). In the context of the COVID-19 pandemic, special school Headteachers have argued that government guidance 'did not include specific advice for the particular challenges they faced' (Sundaram et al., 2020, p.279). As Florian (2019) argues, 'special needs education relies on a policy framework that locates it at the boundary of education's normative centre' (p.701).

These studies are examples of the relatively small number of existing analyses of the question of 'fit' between national policy and special school contexts, each undertaken with a focus on one particular policy area. The research project of which this report forms part addresses the need

for a more holistic account of why national education policy can be problematic in a special school context. For this reason, it intentionally spans a diverse range of policy areas proposed by participating Headteachers: these include curriculum frameworks, guidance on the management of medical and mental health conditions in schools, policy relating to financial administration, and recent COVID-19 guidance issued to schools in England. The selected policy documents formed a springboard for detailed discussion of implementation challenges in online semi-structured interviews with five special school Headteachers. The small sample size was conducive to deep qualitative exploration of everyday dilemmas, contradictions and frustrations in the working lives of special school leaders when held accountable for implementing policy which does not necessarily reflect their operational context.

Findings indicate that Headteachers are deeply frustrated across a range of policies, describing their special schools as *'bookends to this policy'*, an *'addendum'* and *'the Cinderella of education'*. Sometimes, identified problems related to the content of the policy document itself: for instance, a post-COVID National Tutoring Programme which assumes that students can access and derive benefit from online verbal tutoring, a careers curriculum which assumes students are on a trajectory to paid employment, and COVID-19 Guidance which assumes students can understand and comply with social distancing requirements. However, participants also flagged issues relating to what *precedes* the introduction of the policy, such as unresolved issues in the specialist sector including the current funding crisis which will render even well-written policy impossible. Concerns were also raised about what *follows* the policy, including a lack of support from central government in trying to undertake the work of making policy 'fit', and a perceived abdication of responsibility from health and social care colleagues whose input is needed for the successful enactment of many policies. It is clear that participating Headteachers take a wider processual view of policy enactment and that the 'before' and 'after' matters almost as much as the wording of the policy document itself.

Headteacher responses to these challenges were reported to range from full implementation despite misgivings, to relatively rare outright refusal to engage with the policy, to a middle ground that involved constructing an external-facing narrative of compliance which was at odds with everyday classroom practice. The task of formulating a school-level response to policy generated significant additional workload for special school Headteachers. Reported work undertaken included compensating for the unfulfilled roles of health and social care, trying to engineer some degree of 'fit' between the policy and the school context, managing staff and family expectations engendered by policy promises which the Headteacher considered impossible to fulfil, proactively engaging with policymakers either for clarification or to influence change, and undertaking research on alternative non-governmental perspectives on the policy topic to build a case for non/partial compliance. The discrepancy between the policy and the school context was additionally reported to have emotional consequences for Headteachers: this included a sense of overwhelm, precarity, anger and frustration, a sense of abandonment, disengagement, guilt and conversely pride in continuing to function despite the policy landscape.

Finally, Headteachers were asked to reflect on whether and how national policy could become more inclusive of special school contexts. Headteachers indicated that they would welcome more policymaker consultation with special school stakeholders, increased policy draft scrutiny within government to identify oversights of specialist settings, and more agile policy feedback mechanisms to enable communication between policymakers and practitioners. Participants generally indicated resistance to the possibility of separate policies for special schools, noting that this could further entrench the perceived peripheral status of special schools and would be difficult to achieve given the heterogeneity of the specialist sector. Instead, there was a preference for flexibly written policies with choice points and opt-in/out options informed by stakeholder consultation, and it was suggested that this might enhance the quality of education policy for *all* settings. Participants expressed mixed views about the use of policy appendices to provide worked examples of what enactment might look like in a special school.

This report therefore provides a starting point for further necessary conversations about the inclusion of special schools in national education policymaking processes. If the UK government continues to support the existence of special schools within the general education system, a concomitant commitment is needed to ensure that national education policy is fit for purpose and enables high quality provision for *all* learners.

Context of Study

National and international perspectives on 'special education'

The direction of international policy tends towards inclusive education and the abolition of segregated arrangements for disabled learners such as 'special schools'. For instance, the Salamanca Statement (UNESCO, 1994) affirms that 'a child with a disability should attend the neighbourhood school, that is, the school that would be attended if the child did not have a disability' (p.17), whilst the UN Convention on the Rights of Persons with Disabilities (UN, 2006) calls upon signatory states to ensure that 'persons with disabilities are not excluded from the general education system' (Art.24). More recently, UNESCO (2020) has reaffirmed its commitment to inclusive (non-segregated) education with three justifications: the *educational* (inclusive schools will develop more diverse teaching and learning practices that will benefit everyone), the *social* (inclusive schools will change attitudes to difference and disability), and the *economic* (it is likely to be more cost-effective to educate everyone together).

Nation states have made varying degrees of progress towards this goal in practice (see for example Anderson & Boyle, 2019; Nteropoulou-Nterou & Slee, 2019; Anastasiou et al., 2015), but their national policy generally claims alignment in principle with the direction of international thinking. The United Kingdom government is a relative outlier in this sense, with government rhetoric explicitly endorsing and affirming the place of special schools within the education system. For instance, whilst the UK Labour government of 2009 ratified the UNCRPD, it submitted an 'Interpretative Declaration' on Art.24 affirming that the general education system in the UK is understood to comprise both mainstream and special schools. In 2010, there was a change of government but no change in stance on special schools, with the new Conservative/Liberal Democrat Coalition government declaring that it would 'prevent the unnecessary closure of special schools and remove the bias towards inclusion' (Cabinet Office, 2010). Taken alongside a recent commitment by the now Conservative Government to substantially expand special school places available in England (DfE, 2023a), it appears that special schools will continue to play a role within the English education system for the foreseeable future.

The role of special schools in England

The percentage of students in England attending a special school (state-funded or non-maintained) has risen steadily over the last decade, from 1.2% (DfE, 2013) to 1.69% (DfE, 2023b). The number of special schools has also risen from 1032 (DfE, 2013) to 1089 (DfE, 2023b). In England, allocation of a special school place generally requires a student to have an Education, Health and Care Plan (ECHP), a statutory document given only to learners with the most significant and complex needs. In the last decade, there has been a notable rise in the percentage of students with EHCPs (known as 'Statements' prior to 2014) from 2.8% (DfE, 2013)

to 4.3% (DfE, 2023b). This is an increased number of learners who are therefore in principle eligible to be considered for a special school place, although 53% of learners with EHCPs continue to attend mainstream primary or secondary schools (DfE, 2023b).

There can be considerable variation between special schools in England, so it is important to avoid conceptualising the sector as a homogenous bloc. For instance, a special school can offer provision for primary (age 4-11), secondary (age 11-18) or both. It may offer residential provision or day attendance only. Its funding and governance arrangements can vary depending on its status. For instance, a community special school is state-funded and falls under the remit of the Local Authority, whilst an academy special school is also state-funded but run by a charitable Multi-Academy Trust (MAT). The latter arrangement can give a degree of freedom from central government policy and the National Curriculum in some areas (see 'Special Schools Inspections and Curriculum Expectations' below). Other types of special school not represented in this study include independent (fee-paying) special schools, foundation schools and free schools.

Special schools vary in their provision for different types of Special Educational Needs and Disability (SEND). A special school can choose to focus their provision in one of the four areas of SEND set out by the SEND Code of Practice (DfE, 2014): these are communication and interaction, cognition and learning, social emotional and mental health (SEMH) or sensory and physical needs. Some schools further specialise within these categories to narrow provision to a specific diagnosis or category: for example Autism Spectrum Disorder or visual impairment. Alternatively, many special schools offer broad-spectrum provision for a diverse range of disabilities, and students may be grouped according to developmental stage rather than strict chronological age.

To further understand the diversity of the special school population, it may be useful to explain three levels of learning disability which fall under 'cognition and learning' in the SEND Code of Practice (DfE, 2014). Learners with *Moderate Learning Difficulties (MLD)* have been described as having 'attainments significantly below expected levels in most areas of the curriculum, despite appropriate interventions … much greater difficulty than their peers in acquiring basic literacy and numeracy skills and in understanding concepts' (DfES, 2005, p.6). In practice, this means that observations of an MLD classroom might reveal significant levels of conversational spoken language (or equivalent communication such as signing) as well as some reading, writing and formal engagement with the National Curriculum although at levels below those of age-matched peers in mainstream education.

Meanwhile, learners with *Severe Learning Difficulties (SLD)* have 'significant intellectual or cognitive impairments [which have] a major effect on their ability to participate in the school curriculum without support' (DfES, 2005, p.6). In practice, this may mean an SLD classroom might feature more use of pictorial symbols and signing, more limited spoken language, less engagement with traditional literacy practices of reading and writing and a more adapted curriculum which focuses on self-help, independence and social skills.

Finally, students with *Profound and Multiple Learning Difficulties (PMLD)* are a low-incidence group who 'require a high level of adult support, both for their learning needs and also for personal care' (DfES, 2005, p.7). These students have the greatest possible level of intellectual impairment arising from causes including genetic disorders or acquired brain injuries, and are described as 'hav[ing] great difficulty communicating, often requiring those who know them well to interpret their responses and intent' (Doukas et al., 2017, p.12). PMLD learners frequently have complex co-existing medical conditions including visual and/or hearing impairments and epilepsy, and they may be wheelchair users with medical interventions including tube-feeding and tracheostomies. Observation of a PMLD classroom is therefore likely to reveal much use of postural support and mobility equipment and frequent personal and medical care. Alongside this, students may participate in educational activities such as the use of eye-gaze assistive technology to indicate choice-making, or sensory stories designed to convey a story through stimulation of the senses (Haythorne, 2020). Class teachers may liaise with colleagues from the National Health Service (NHS) including Speech and Language Therapists, physiotherapists, Occupational Therapists and others in order to set meaningful individual targets for classroom activity and attainment.

Having provided broad-brush portraits of these three 'levels' of learning disability as contextualisation for readers unfamiliar with special schools, it is important to underline the need for caution. These levels do not map neatly onto corresponding medical diagnoses, do not have universally agreed boundaries and their meaning can evolve over time (Norwich et al., 2014; Shah, 2017). Further, the language to ascribe levels of learning disability can vary between countries, regions, services and even individual practitioners, and it has been suggested that such levels can become a self-fulfilling prophecy in terms of teacher expectations and subsequent attainment levels (Bryan, 2018).

Special school inspections: curriculum expectations

In England, schools are inspected by Office for Standards in Education, Children's Services and Skills (OFSTED), a non-ministerial government department. OFSTED inspectors carry out periodic inspections of schools with very short notice, and subsequently evaluate the school in a publicly available report, with grades ranging from 1 ('outstanding') to 4 ('inadequate'). The OFSTED Education Inspection Framework (OFSTED, 2023a) which is used to evaluate mainstream schools also includes within its remit maintained (community and foundation) special schools as well as non-maintained special schools, academy and free special schools. Curriculum expectations are slightly different depending on the type of special school. In maintained community special schools which are under the remit of the Local Authority *'all pupils … are expected to study the basic curriculum, which includes the national curriculum, religious education and age-appropriate relationships and sex education',* whereas academy special schools *'are expected to offer all pupils a broad curriculum that should be similar in breadth and ambition to the national curriculum, and must include English, mathematics, science and religious education'*. (OFSTED, 2023b). OFSTED further express an expectation that *'learners study the full curriculum. Providers ensure this by teaching a full range of subjects for as long as possible, 'specialising' only when*

necessary' (OFSTED, 2023a). This seems to suggest that OFSTED inspectors will expect to see some form of recognisable National Curriculum delivery in special schools, despite the National Curriculum being primarily formulated for learners without significant disabilities who are able to speak, read and write.

OFSTED have not yet provided any written guidelines on the application of the Inspection Framework to special schools. However, an online OFSTED webinar entitled 'EIF Inspections in Special Schools' (OFSTED, November 2022) provides some elaboration, emphasising the need for flexibility when inspecting special schools and additional training for special school inspectors to ensure they understood contextual factors pertaining to the sector. Specifically, the webinar claims that OFSTED inspectors do not necessarily expect the curriculum to be delivered through discrete subjects such as Geography and History in a special school. Inspectors, according to the webinar, will be open to considering the rationale for an alternative model of curriculum delivery provided it is broad, balanced and ambitious.

Despite such assurances of flexibility and contextual sensitivity, a close look at one curriculum area – reading – might suggest that special schools can remain vulnerable to evaluation by mainstream expectations. The OFSTED webinar explains that reading will be subject to a 'deep dive' (detailed inspection) during the vast majority of inspections, and that if a special school has decided that some learners will not acquire reading skills, inspectors will want to *'find out how leaders have absolutely assured themselves that those children in their school are not at a point where they can take meaning from text'* (OFSTED, November 2022). Elsewhere, the national Reading Framework (DfE, 2023c) insists that *'the best reading instruction for pupils with SEND is SSP [Systematic Synthetic Phonics], taught by direct instruction. They can learn to read and write and can make progress towards or attain functional literacy'* (p.77). When the Reading Framework and OFSTED guidance are read together, therefore, it does seem to suggest that inspectors might expect to see near-universal teaching of SSP unless an exceptionally robust and well-evidenced rationale convinces them otherwise. This is despite academic concerns about the validity of the claims made in the Reading Framework for the most severely disabled learners, highlighting the problems with extrapolating findings from SSP studies involving dyslexic or autistic participants without learning disabilities to MLD, SLD and PMLD populations (Imray et al., 2023). Guidance on reading therefore seems to indicate a mixed rhetoric on the part of OFSTED and the Department for Education (DfE), which sometimes allows for contextual variation in settings but is often underpinned by neurotypical expectations of what teaching and learning should look like.

Elsewhere there is further evidence of a pull between inclusive rhetoric and mainstream-centric thinking in school inspection planning. For example, an OFSTED research report on assessing curriculum intention, implementation and impact (OFSTED, 2018) proposes and evaluates a set of 'curriculum indicators' to be used by inspectors. The report notes that *'it was especially important to trial any such curriculum indicators in a more diverse set of schools to see whether they work in different contexts'* (p.6). Two of the sixty-four schools involved in the research were special schools, and the report concludes that *'the visit to the two special schools in the sample*

showed that the curriculum indicators worked just as well' (p.34). Despite this assurance, it is difficult to see how the report has reached this conclusion. There is no contextualising information on the type of special schools included, and their data is either omitted from data tables (Figure 9) or subsumed into secondary school data (Figures 4 and 8). The research is further explicitly framed around subject-based curriculum delivery which does not correspond to the delivery model of all special schools. It is additionally unclear how participating inspectors could have concluded that some of the clearly mainstream-centric curriculum indicators such *as 'the curriculum is at least as ambitious as the standards set by the national curriculum'* (2a, p.8) or *'reading is prioritised to allow pupils to access the full curriculum offer'* (2c, p.8) functioned as valid indicators of the quality of curriculum offer in a special school.

It is welcome that OFSTED has acknowledged the importance of inclusivity when evaluating aspects of its work, and some of the proposed curriculum indicators are indeed applicable across diverse settings – for example *'the way the curriculum is planned meets pupils' learning needs'* (5b, p.8). Nevertheless, a much more significant and sustained level of engagement with special schools seems necessary to rigorously identify and challenge mainstream-based assumptions around education which do not translate to all settings.

Summary

Special schools can be said to occupy a peripheral and contested space within the English education system, with international policy discourse encouraging their closure and the UK government affirming their continued role. Educating less than 2% of England's children and young people, they operate within (and are held accountable by) policy and curriculum frameworks which are predicated on neurotypical developmental trajectories for young people including verbal language, reading and writing. As the example of reading pedagogy suggests, this poor fit between national policy and the needs of the most severely disabled learners can place special school leaders in precarious positions of accountability. It is the purpose of this study to investigate the impact of national policy in special schools and the consequences of trying to engineer 'fit' in a policy landscape designed for non-disabled learners.

Study Design

Research questions

The overarching research question for this study was 'how do special school Headteachers feel about enacting national education policy in their setting?' Specifically, the study sought to explore perceived challenges presented by the enactment of national policy in special schools, how Headteachers responded to such challenges, and how they felt policy could be written inclusively to maximise relevance to their setting.

Participants

Five Headteachers of special schools in England were recruited through social media advertising of the study as well as a launch article in the popular education magazine *Schools Week.* The five participating Headteachers come from five different and geographically dispersed Local Authorities in England although one school, as an Academy, is not subject to Local Authority control. Four of the special schools represented have a broad-spectrum intake that includes students with MLD, SLD and PMLD profiles, whilst one school specialises in MLD only.

Table 1: Participant Overview.

Participant Pseudonym	School Context	Policies selected for discussion
Ben	Community special school, broad spectrum of provision	1. COVID-19 guidance 2. Pupil Premium 3. National Tutoring Programme
Chris	Community special school, broad spectrum of provision	1. COVID-19 guidance 2. Teachers' pay and conditions 3. Medical conditions in schools
Claire	Academy special converter, broad spectrum of provision	1. COVID-19 guidance 2. 2022 SEND review 3. OFSTED inspection framework
George	Community special school, broad spectrum of provision	1. COVID-19 guidance 2. 2022 SEND Review 3. Mental health in schools
Rose	Community special school, MLD only	1. Phonics teaching 2. Computing curriculum 3. Careers guidance

Methodology

Each Headteacher took part in a semi-structured interview lasting approximately 90 minutes conducted remotely via Microsoft Teams. Each was asked in advance of the interview to select for discussion three instances of national education policy which seemed particularly challenging to implement in the context of a special school (see Table 1). During the interview, participants were invited to use their chosen policy areas as springboards for discussion of policy enactment in special schools. Participants were also asked to reflect on how the policymaking process could be improved to make the resultant policy documents more inclusive of diverse school contexts.

Interview transcripts were returned to participants for checking and were subsequently analysed using NVivo14 Qualitative Data Analysis software. In the first stage of data analysis, the content of each individual policy discussion was interrogated in turn (three per Headteacher, fifteen in total). Talk was analysed deductively to code utterances by relevance to each pre-existing research question: perceived challenges associated with national policy, Headteacher responses, and Headteacher perspectives on inclusive policy writing. In the second stage of analysis, data now organized by research question was subjected to inductive analysis to identify commonalities and divergence in how Headteachers addressed the research question across diverse policy contexts. Braun & Clarke's (2021) reflexive thematic analysis framework was used to guide inductive analysis, with initial codes eventually subsumed into overarching themes. The organisation of codes and themes is illustrated in Tables 3, 4 and 5.

Selected policies

As indicated in Table 1 (above), a total of eleven national policy documents were discussed across the five interviews. 'National education policy' was understood to encompass any document issued by a relevant government body (for example Department for Education, Department of Health, Cabinet Office) which was intended to provide direction to schools across England. As can be seen in Table 2 below, the documents selected by Headteachers had diverse legal statuses including statutory and non-statutory guidance and Green Papers. For contextualisation, Table 2 provides the shorthand name of the policy area which will be used in this report, a brief indicative overview of policy content, and a hyperlink to the relevant policy document(s) discussed by Headteachers.

Table 2: Overview of policies selected for discussion.

Policy shorthand	Policy overview	Hyperlinked policy documents
Careers Guidance	This statutory guidance sets out what good careers guidance should look like in schools in England.	DfE (2023) *Careers Guidance and Access for Education and Training Providers.* Available here [accessed 1 Nov 2023].
Computing Curriculum	This statutory guidance sets out how schools in England should teach Computing.	DfE (2013) *National Curriculum in England: Computing Programmes of Study.* Available here [accessed 1 Nov 2023].
COVID-19 Guidance	This guidance placed an expectation on schools in England to continue to offer full-time on-site provision for 'vulnerable' students, including those with Education Health and Care Plans (EHCPs). The operational guidance sets out how on-site school provision should be managed during the pandemic. This guidance discusses how 'aerosol generating procedures' (AGPs) should be managed. Recommendations include medical-grade PPE and a separate room for undertaking the AGP.	Cabinet Office/DfE (2020) *Guidance: Children of Critical Workers and Vulnerable Children who can access Schools or Educational Settings.* Available here [accessed 1 Nov 2023] DfE (2020) *Schools COVID-19 Operational Guidance.* Available here [accessed 1 Nov 2023] DfE (2020) The use of personal protective equipment (PPE) in education, childcare and children's social care settings, including for aerosol generating procedures (AGPs). Available here [accessed 1 Nov 2023].
Medical Conditions at School	This statutory guidance covers support for students with medical conditions in schools in England, including liaison between education and health services.	DfE (2017) *Supporting pupils with medical conditions at school.* Available here [accessed 1 Nov 2023].
Mental Health in Schools	The 2017 Green Paper proposes to 'put schools and colleges at the heart of our efforts to intervene early and prevent [mental health] problems escalating' (p.3). The 2023 guidance sets out expectations of school staff in England in relation to managing school absences due to mental health issues.	DoH/DfE (2017) *Transforming Children and Young People's Mental Health Provision.* Available here [accessed 1 Nov 2023] DfE (2023) *Mental Health Issues Affecting a Pupil's Attendance: Guidance for Schools.* Available here [accessed 1 Nov 2023]
National Tutoring Programme	NTP guidance offers schools in England government-subsidised tutoring to help children considered at risk of falling behind following COVID-19 lockdowns.	DfE (2023) *National Tutoring Programme: Guidance for Schools, 2022 to 2023.* Available here [accessed 1 Nov 2023].
OFSTED Inspection Framework	OFSTED (Office for Standards in Education, Children's Services and Skills) carries out inspections of schools in England. This guidance sets out the framework for conducting inspections.	DfE (2019) *Education Inspection Framework.* Available here [accessed 1 Nov 2023]

Policy shorthand	Policy overview	Hyperlinked policy documents
Pupil Premium	This guidance explains pupil premium funding which is allocated to schools in England to improve educational outcomes for students in selected categories.	DfE (2023) *Using Pupil Premium: Guidance for School Leaders.* Available here [accessed 1 Nov 2023].
Reading Framework	This Framework sets out how children in England should be taught to read, with a strong emphasis on Systematic Synthetic Phonics (SSP).	DfE (2022) *The Reading Framework: Teaching the Foundations of Literacy*. Available here [accessed 1 Nov 2023].
SEND Review Green Paper	This Green Paper contains proposals to improve Special Educational Needs & Disabilities (SEND) provision in England, following widespread disappointment with the 2014 SEND reforms.	DfE (2022) *SEND review: right support, right place, right time.* Available here [accessed 1 Nov 2023].
Teachers' Pay and Conditions	This document sets out pay ranges, additional SEN allowances, recruitment and retention incentives, and a contractual framework for teachers including rights, responsibilities and working hours.	DfE (2023) *School Teachers' Pay and Conditions.* Available here [accessed 1 Nov 2023].

Research ethics

This study received ethical approval from the relevant ethics body of the author's Higher Education Institution (HEI) and was undertaken with due regard for the principles contained in the British Educational Research Association's *Ethical Guidelines for Educational Research* (BERA, 2018). Participants received no inducement to participate, were fully briefed prior to giving written consent, and were made aware of their right to withdraw. Participants were given pseudonyms and potentially identifying utterances (for instance, references to geographical region, Local Authority, school name or highly identifying features of their setting) were redacted. Redacted transcripts were subsequently approved by participants, as was a draft version of this report. Data storage was conducted according to the author's institutional protocols.

Perceived difficulties with national education policy

Introduction

The first area to be explored was Headteacher perceptions of the difficulties of enacting national policy in the context of a special school. Data suggested that whilst some concerns related directly to the wording of the policy document, there were also wider concerns about circumstances *preceding* the policy (unresolved tensions in the specialist sector which would form barriers to successful policy implementation) and circumstances *following* the policy release (a lack of follow-through support with implementation in a special school). Codes were subsumed into three themes identified from headteachers' talk (Table 3). Each theme is subsequently discussed with relevant transcript extracts.

Table 3: Thematic analysis of perceived difficulties with national policy.

Theme	Codes
Underlying and unresolved issues in special education	Funding crisis
	Unsatisfactory relationship between health, education, and social care providers
	Special schools not seen as integral part of English education system
Non-inclusive policy writing	Written for and about mainstream schools
	Lack of understanding of special school context
	Policy not feasible to implement
Feeling unsupported with policy enactment	Lack of support from government representatives and departments
	Lack of support from health and social care providers

Underlying and unresolved issues in special education

Several headteachers expressed doubts that any policy, however well-written, could be fully implemented in the face of underlying operational issues facing special schools. The main underlying issues identified were the funding crisis, an unsatisfactory working relationship with health and social care, and special schools being perceived as peripheral to the English education system.

In several policy discussions, Headteachers noted the impact of significant funding shortfalls facing special schools in England on the possibilities of policy enactment. For instance, the National Tutoring Programme which purported to provide post-COVID catch-up tutoring for students required a 25% school contribution at a time when special schools are facing a funding crisis:

> Our budget is just dire. I mean we're very poorly funded in [our local authority], you know, but the money that we did have, I would have to redivert towards subsidising the National Tutoring Programme … ***Ben, National Tutoring Programme***

Similarly, Chris felt that the Teachers' Pay and Conditions policy does not support headteachers in special schools when resourcing is insufficient for the high staffing ratio required for learners with complex learning and physical needs:

> Because the funding that we have in special schools is not high enough, there is always a tension with, you know - do we recruit another teacher? Do we close a class? Do we merge a class? Do we recruit a TA who leaves us? ***Chris, Teachers' Pay & Conditions***

Echoing similar concerns, George questioned whether the stated aim of the SEND Green Paper *('right support, right place, right time')* was a meaningful aspiration within existing resources:

> Of course we need the 'right support, the right place at the right time', but that's being able to get it … we're haemorrhaging people post-COVID from TA [Teaching Assistant] roles, because they can go get much better pay working at home … it's going to need a complete system overhaul that fundamentally is based upon increasing resource. You can move all of the systems around you like, but if they're not resourced properly, it doesn't matter. ***George, SEND Review Green Paper***

A second underlying issue facing special schools is their relationship with health and social care colleagues. Given the complex needs of many learners described previously in this report, effective joint working with a range of National Health Service (NHS) and social care colleagues is often needed for effective policy implementation. Since 2014 children with the most complex needs are given an *Education, Health and Care Plan* (EHCP), in the hope that a single jointly written document will encourage effective liaison between these three strands of support in a disabled child's life. However, findings suggest that the relationship remains problematic and policies requiring effective collaboration will remain difficult to implement until this is addressed. This lack of effective co-operation was felt most acutely during the COVID-19 pandemic:

> No one talks to each other, everyone works in silos, health works in silos, social care and education. And who are the people that always turn up? It's the educationalists and yet social care and health are fundamental to that. How they are commissioned, how they are regulated and how they are funded. It's all totally different. And that there's not a common language between those three, so it's the point of frustration to me on a on a minute-to-minute basis really. *Claire, COVID-19 Guidance*

However, these frustrations are also felt in everyday non-pandemic contexts such as implementing and reviewing EHCPs:

> When they moved from Statements to EHCPs you know, there was this lofty aspiration that it would be a collaborative document. And you know, most heads will tell you that it doesn't feel very much like an EHCP. It's an 'E' … it feels like health don't value it as much as education value it. It feels like social care don't value the plans as much as education does. *Chris, Medical Conditions in School*

Claire felt that these unresolved tensions could thwart the stated intentions of the SEND Green Paper:

> We say one thing, but the systems are structured in such a way where it's nigh on impossible to achieve it or it's contradictory. And then we'll never, ever achieve what [the Green Paper] sets out. And so, you know, this huge emphasis on the three sectors, again, working together, well, where's the wholesale change at government level? *Claire, SEND Review Green Paper*

A third underlying issue undermining effective policy enactment was the nature of the relationship between special schools and the rest of the English education system. Findings suggested that special school Headteachers see their schools as occupying a very peripheral position and that it is subsequently too easy to be overlooked by policymakers. This sense of marginalisation was perhaps felt most acutely during the pandemic:

> It did feel like, you know, let's deal with the big primaries and the secondaries. Oh and then, yes, we've got to make sure that we do something with our special schools and AP [Alternative Provision]. It always felt like there was an addendum … We got that through the COVID where actually you would get Version 1 which had mainstream schools in it and then there would be an outcry because they didn't mention us, then you get Version 2 … We are always that kind of - the Cinderella of education. *Chris, COVID-19 Guidance*

However, the implications of this peripheral positioning also play out in more everyday non-pandemic operational contexts. They include a lack of joined-up thinking about movement between mainstream and special provision for individual learners, as well as a failure to take a holistic view of proposed changes in SEND policy for all parts of the system:

> It needs someone that's really skilful to understand all of those sectors for it to work and then how then children can transition either back into mainstream or out of mainstream and see it as a continuum of provision. I just don't know who those people are out there. *Claire, SEND Review Green Paper*

> And that paper also implies, doesn't it, that we just need to reduce the demand of EHCPs. Well, if we do that, then you've got to sort out the size of secondary schools. You've got to support the staff in those schools. They most definitely have got to be able to access the cavalry when they need them because they're … less likely to experience [the level of disability associated with an EHCP]. *George, SEND Review Green Paper*

Non-inclusive policy writing

A second theme identified in relation to policy difficulties was the wording and design of the policy document itself. Specifically, Headteachers identified that national policy often appears to be written for and about mainstream schools, policy appears to not understand the operational context of a special school, and subsequently policy is not always feasible to implement in a special school.

Several headteachers expressed the feeling that policy content is written about and for mainstream primary and secondary schools and that special schools are typically overlooked. For instance, the usefulness of the National Curriculum was questioned in some subject areas even though in principle it claims to extend to all learners. Rose described the DfE's statutory Careers Guidance Policy as a *'futile exercise that's been created because of a lack of thought about the way these things play out for children other than able secondary mainstream children'*, and further noted that in the DfE's Reading Framework Systematic Synthetic Phonics is *'promoted as the panacea to all reading when so many children don't find that an effective way to learn to read'*. Similarly, the Computing Curriculum is perceived as unrealistic and lacking in more accessible practical elements such as word processing:

> A lot of [aspects of the Computing Curriculum] are particularly so conceptual that only the most able students are likely to access that … there are lot of students where we wouldn't have that as part of

their learning outcomes because it just wouldn't be attainable for them. *Rose, Computing Curriculum*

Chris noted how COVID guidance seemed to presuppose students' ability to process and follow verbal and visual instruction:

I think it was much easier for mainstream schools to say, right, that is your space. You go in there at the beginning of the day and you leave at the end of the day … yes, we drove a yellow line down the middle of the corridor but children don't stick to yellow lines, you know, if you've got an SLD [Severe Learning Disability], you'll go wherever you want to go, and you'll go and you'll give people hugs … *Chris, COVID-19 Guidance*

Ben felt that the National Tutoring Programme was based on a conceptualisation of 'tutoring' which does not translate well for students with learning disabilities:

I get that you could tutor a small group of students that are learning in a normative way, learning normative things, reasonably successfully because it would be very much a seminar, you know, conversational question and answer, clarification of conceptual misunderstandings, and all of that. But I really, really don't understand how it would be effective for the children that we work with … I would go as far as [saying it was based on] mainstream secondary understandings … I do find that we're the bookends to this policy. *Ben, National Tutoring Programme*

Ben further identified that policies such as Pupil Premium which target extra funding at specified categories of student are based upon mainstream school data:

I'm fairly confident that the EEF [Education Endowment Foundation] evidence base for reaching the conclusions they've reached around the use of the Pupil Premium were not built around special school practice or special school students or special school outcome data. Generally, EEF data is predicated on large scale RCTs [Randomised Controlled Trials] that are conducted in mainstream schools or meta-analyses based on children who go to mainstream schools [They're] using evidence that is generally predicated on mainstream practice, operational structures and children. But we're held accountable in

the same way, yet we have to work in very different ways. *Ben, Pupil Premium*

Findings further suggested that special school Headteachers do not feel their school context and population are fully understood by policymakers. For instance, Chris suggested that the DfE's policy on managing medical conditions in school speaks to the relatively minor interventions that might be necessary in a mainstream school rather than the complex medical procedures which form part of daily life in many special school classrooms:

> [The policy] feels quite removed from the day-to-day practices of, you know, a special school with high-end-complex learners … for them to get education, they need to be well and that takes procedures and processes over the course of the day. I mean, one of my children, over the course of a good day, it's three hours of healthcare. That enables her to have, you know, aside from a nap that she has at lunch, maybe an hour and a half of let's call it education. *Chris, Medical Conditions in School*

Claire felt that the OFSTED Inspection Framework does not grasp the complexity of carefully customised non-linear National Curriculum delivery in a special school:

> We have to really skilfully take the strands from Key stage 4 in the qualifications and match that down to what it would look like in Key Stage 2, Key Stage 1 in terms of the cognition level, and then we have to really skilfully re-present it back to the children in an age-appropriate way … what is a real skill I think can be diminished and reduced because of this tick box because there isn't the acknowledgement that the work that you have to do as a special school practitioner. *Claire, OFSTED Inspection Framework*

The National Tutoring Programme was seen by Ben as a failure to understand how children with PMLD engage with learning:

> If you've got evidence that children with Profound and Multiple Learning Disabilities can access online tutoring then we can begin the conversation … you won't have people that are skilled enough, you won't have the relational knowledge to be able to work well with the children. And the idea that you're going to do it remotely is just utterly bonkers … *Ben, National Tutoring Programme*

Arguably the most extreme instance of misunderstanding the special school context was the government's announcement that all children in England with an EHCP should continue to receive on-site provision during COVID lockdowns. In a mainstream context this group would constitute approximately 2-3% of learners (DfE, 2023), making the proposition feasible. However, in a special school it is close to 100%, effectively requiring special schools to remain open at full capacity despite decimated staffing levels. It is unclear whether the government ever considered the differential impact of this policy, both at operational level and in terms of staff and student safety:

> There was an expectation that special schools just carried on regardless. Which was absolutely shocking in terms of how *do* we mitigate risk? … They didn't have a clue, did they? They had no idea what they were saying. You know, that's 100% opening and the closest we ever got to it is 50% during that point in time. I couldn't staff more than that. **George, COVID-19 Guidance**

The findings also indicated many instances of national education policy simply being deemed impossible to implement in a special school. Continuing with the example of COVID-19, Chris concluded that it was too traumatic to demand mask-wearing and COVID testing for some of his learners:

> One of the major issues that we had was around testing the pupils, you know, we had to do that based on consent. Many of the children were not in a position where that was going to be acceptable, you know, and you could take a view that it's absolutely not right that their trusted adults were coming at them with, you know, swabs to put up their nose, in the back of their throat. And so the uptake rates were limited … Likewise, you know, the notion of young people wearing masks, you know, it was virtually impossible to do that. And you know, eventually it felt like the DfE said - well, look, just give up on it. Don't worry about that. **Chris, COVID-19 Guidance**

Government policy further suggested that procedures such as tracheostomy interventions (which fall under the category of 'Aerosol Generating Procedures' or AGPs) should take place in isolation from other students because of the risk of spreading COVID. Claire noted that this suggestion did not appear to understand the life-and-death urgency of unblocking a tracheostomy tube nor the time it takes to relocate a wheelchair user with complex physical impairments:

> If someone has a [tracheostomy] blockage, you have to immediately attend to that young person - that isn't, you know, we've got 5-10

> minutes to find another person to put them in their hoist, to hoist
> them into their chair, to wheel them down a corridor to a special
> room or, you know, you're losing 10-15 minutes. That person could
> die because they've got a blockage. You have got to do that there and
> then … **Claire, *COVID-19 Guidance***

Lack of feasibility was not restricted to the COVID context. Rose noted that in addition to the Computing Curriculum content being inaccessible, some of the required software to deliver the curriculum is not adapted for use with assistive technology hardware:

> The educational software to teach the specifics of the computing
> curriculum aren't always developed to be compatible with the
> devices … that the students need to use to access the learning,
> because their main customers are going to these schools with
> traditional input and output devices … it's not been so far in the
> interests of the commercial companies to produce them to be
> compatible, for example with iPads and tablets. Which places a lot of
> youngsters with special educational needs at a disadvantage because
> they're the platform that they need to use. ***Rose, Computing***
> ***Curriculum***

Feeling unsupported with policy enactment

Headteachers additionally voiced dissatisfaction with the lack of support they received when trying to make difficult decisions around policy implementation. They specifically identified a lack of support from government representatives and departments (for instance Public Health England, Department for Education, their local MP). They also highlighted a lack of support from health and social care colleagues who in principle should be contributing to the implementation of many policies under discussion.

The lack of support from central government was felt most acutely in the context of COVID-19 Guidance, where Headteachers struggled to support learners with very challenging behaviour and/or very complex and multiple physical impairments in the face of a life-threatening pandemic.

> And we'd get the guidance and I'd phone up our Public Health people
> and say 'oh, what should we do about that?' And [they'd say]: 'we
> don't know, just make your own best decision …' And even when
> you're contacting your MP [Member of Parliament] to try and get
> guidance and they're like 'yeah, you're right, you *are* on your own …'
> ***George, COVID-19 Guidance***

> And when we tried … to try and get any clarification, none was coming. None from Public Health, and none from the DfE [Department for Education]. And certainly none from social care at all. And even though I was in area meetings with Public Health colleagues that were quite high up it within the local area and representatives from the DfE that were quite high up in the DfE we still couldn't get any answers. *Claire, COVID-19 Guidance*

Ben reported feeling unsupported when left with the conundrum of how to respond to the government's previously described policy expectation of on-site provision for all learners with EHCPs:

> I suppose the starting point was when we as a staff were sat in our staff room watching a briefing from the Secretary of State to hear him announce that all children with an EHCP would be entitled to on-site provision and the gasp in the room was just extraordinary, because everyone simultaneously recognised what that meant for us … That announcement about kids with EHCPs was a disgraceful abdication of responsibility and put us in the most extraordinarily difficult position of trying to work out how the bloody hell we choose [who gets on-site provision] now … So that was the biggie. That was the moment when you thought we're not going to be well supported through this. *Ben, COVID-19 Guidance*

It was previously identified that the underlying relationship between Education, Health and Social Care was perceived to be an additional barrier to successful implementation of any policy requiring close collaboration. Headteachers gave concrete examples of times when they felt that the level of support from their Health and Social Care counterparts was disappointing:

> The COVID advice then to wraparound services such as social care, health services, respite services - they all just basically downed tools and left. And actually one of the children said 'everybody just forgot about us. We didn't matter'. He couldn't do his normal things that he would do. The only place he could come was school. *Claire, COVID-19 Guidance*

George noted that a barrier to enactment of the government's Mental Health policy was visiting mental health support teams in his area who offered short-term talking therapies and did not seem equipped to support the mental health of learners with more complex needs:

> So when they then came into my area and were saying 'oh we could do all this for your children except those with autism, those with severe learning needs …' and I was like 'so you've just excluded almost all my young people. Which group of students *are* you going to help?' 'Oh, we can help those with more moderate learning needs'. Yeah, they're my easy candidates in school today! … they need to be able to just do six sessions and then we can move on to the next child. I was like 'oh God [laughs] … this has blatantly not been thought through by people who've ever worked with young people with more complex needs'. ***George, Mental Health in Schools***

Two headteachers expressed unease with teachers and teaching assistants TAs being expected to perform delegated complex medical interventions in the absence of a healthcare professional:

> There's a big tension between the notion of what a member of staff in a special school can be trained in and what is delegatable by a special school nurse … Because I think with our NHS colleagues, you would wish them to be doing much, much more than they're currently doing and you know a good example of that would be, you know, the AGPs [Aerosol Generating Procedures], those are procedures that really should at that time have been done by nurses and our Teaching Assistants were doing them. ***Chris, Medical Conditions in School***

> [AGPs are] a complex delegated task that our staff do that comes from the nursing competency sign-off framework, which is dodgy for many staff who do it anyway, thinking whether they *should*, you know, is that actually a medical task to even be delegated in the first place. ***George, COVID-19 Guidance***

Summary

This section of the report set out Headteachers' perceptions of the difficulties with national education policy. Participants took a holistic view of the policy implementation process, raising concerns not only about the content of policy documents but also highlighting the importance of what precedes the policy (unresolved issues in the special education sector) and what follows (the availability of support, clarification and effective multi-agency working necessary to fully implement a policy).

The next section of the report considers the consequences of implementing national education policy in special schools and how Headteachers respond to this challenge.

Consequences of national education policy for special schools

Introduction

The second area explored by this report is how special schools respond to policies which feel like a poor fit, and what the consequences of such policy are for everyday functioning. Findings were organised into three themes: a continuum of implementation, additional labour, and emotional consequences for Headteachers (Table 4).

Table 4: Thematic analysis of consequences of national education policy for special schools.

Theme	Codes
A Continuum of implementation	Attempting to implement
	Constructing external-facing narrative of implementation
	Refusal to implement
Additional labour	Compensating for health and social care deficits
	Engineering 'fit' between policy and school context
	Managing staff and family expectations
	Seeking out alternative (non-governmental) perspectives on policy issue
	Engaging with policymakers
Emotional consequences	Overwhelm/crying
	Precarity
	Anger/frustration
	Feeling abandoned
	Disengagement
	Guilt
	Pride in coping despite the policy

A continuum of implementation

Headteacher responses to policy which did not appear appropriate for their setting ranged on a continuum from commitment to full implementation despite misgivings about policy suitability to outright refusal to comply with policy. There was also a 'middle ground' involving construction of an external-facing narrative of compliance which was known to be incongruent with everyday classroom practice. This continuum is discussed below.

In some instances, Headteachers described attempts to faithfully enact policy despite misgivings about its suitability. For instance, Rose feels compelled to enact statutory Careers Guidance with students:

> Then you've got 'encounters with employers and employees' …
> We've arranged it, and we've met with people and we've made those
> things. Again, they're totally artificial links and they're totally
> tokenistic … we go to a recording studio. We look at it. But that is
> really the extent of it. Look, children - it's almost cruel, to me - it's oh
> look, what you could have had if you hadn't been born with special
> needs. You could have worked in this wonderful, lovely studio …
> when it's been delivered as a three-line whip that this must be in
> place in all schools and you must audit yourself and you must
> demonstrate that you do these things, it's a hopelessly tokenistic
> exercise. **Rose, Careers Guidance**

Rose also uses school noticeboards as a performance of visual 'compliance' with this policy:

> 'Linking curriculum learning to careers' … we've complied and around
> the school we've got displays for every single subject telling you
> about all of the amazing things you could do, but then it's nonsense
> because it's not accessible to our students, you know, music studio
> producer, sound mixer, roadie. **Rose, Careers Guidance**

Ben endeavours to account for Pupil Premium spending in his school in a way that will satisfy the inappropriate funding framework predicated on mainstream environments whilst also delivering some benefit for his learners:

> Essentially yeah, it is about finding workarounds. It is about finding
> ways of ensuring that our school fits into the structure that's been
> provided for us. But however you do that, you are having your
> thinking being influenced by things that were not designed for you …
> **Ben, Pupil Premium**

In the middle ground between compliance and non-compliance, there were also instances of special schools constructing an 'official', external-facing narrative of compliance with the national policy which did not reflect everyday practice in the school. For instance, Claire felt under pressure to 'market' Curriculum delivery in a certain way for the purposes of OFSTED inspections:

> I feel like we have to market it differently …we might use a subject as
> a vehicle and something to be hooked on, but it isn't. But I've got to

> make it sound like it is … I don't know what an inspector will view that as, and whether they will be on the same page as me or not and that's going to be a very challenging conversation for me, isn't it? And if they don't - you know, 'what are they learning'? Well, the fact that they're in [school], the fact that they're not hitting anyone, the fact that they're not self-harming and trashing the classroom, that's progress. But no, it doesn't really fit under art or science because there's no national curriculum for that … *Claire, OFSTED Inspection Framework*

Similarly, Rose describes the school reading policy which is ostensibly compliant with the government's Reading Framework and its emphasis on Systematic Synthetic Phonics, whilst in practice she is aware that her teachers use a diverse range of approaches to support reading development:

> Policy is supposed to describe what actually happens. And yet again, we're sort of having to write a [school reading] policy which is purely outward-facing because it doesn't reflect properly the practice because it can't, because that's almost something we dare not make public … As a leader, it's challenging for me to … have a [reading] policy that I'm tacitly acknowledging to my staff is one that they shouldn't really follow … *Rose, Reading Framework*

Perhaps consistently with the OFSTED-related anxiety which permeated many interviews, there were few instances of openly deviating from government policy. Those instances which did exist typically arose from frustration around unworkable COVID guidance: for instance, George allowed his staff to stop wearing masks and visors because they were impeding communication and upsetting some students, whilst Claire explained *'I felt that I just had to ignore Boris Johnson … I ended up just listening to my staff'*. In the post-COVID context, Ben refused to accept funding for the National Tutoring Programme in protest at the unsuitability of the scheme for his learners:

> So I've refused to use the money which was initially found problematic, so I used to get a lot of phone calls … I have to say it did stick in my throat a little bit, not taking the money, but actually sometimes you've got to not take the money. I want them to account for the non-expenditure … *Ben, National Tutoring Programme*

Additional labour

Findings suggested that the unsuitability of national education policy resulted in significant additional labour for special school Headteachers as they sought to establish a workable implementation solution. This additional labour took many forms including performing aspects

of policy without support from health and social care, endeavouring to engineer a degree of fit between policy and context, managing staff and family disappointment about the disparity between policy promises and operational realities, researching non-governmental alternative perspectives on the policy, and engaging with policymakers. These dimensions of additional labour are explored below.

Headteachers identified that many policies assume effective co-operation between education, health and social care. Because this is frequently not the case, special schools feel compelled to compensate for deficits in health and social care in order to enact policies effectively. For Chris, this sometimes takes the form of extra labour in persuading them to play their part:

> I will try and implement as much of it that I can put in place. The big challenge comes when your biggest fight is trying to encourage another organisation or profession to support you in the journey. That's exhausting … *Chris, Medical Conditions at School*

Sometimes this also takes the form of supplementing inadequate NHS support with private provision paid for from the school budget:

> Schools are employing Speech & Language therapists, and they're employing OTs [Occupational Therapists] because you can't get an OT or a Speech & Language Therapist into schools. And then we are shooting ourselves in the foot because we're not solving the problem, which is that the NHS should be employing these people. But schools recognise that unless they put this in, the child is going to be not making progress. *Chris, Medical Conditions at School*

As noted previously, special school staff additionally acquiesce to the delegation of complex medical procedures in the absence of health professionals:

> Some of their procedures over the course of the day are things that actually you need to be a Band 4-5 nurse to take. But they were delegated to us because the NHS would say, well we're going to train you so you can do these things and of course because if we didn't do them, the children wouldn't be able to attend. *Chris, Medical Conditions at School*

George described how social care became the responsibility of school staff during COVID-19 lockdowns:

And also trying to set up this whole, you know, social care system and social support system. And we ended up with the school open Saturdays and Sundays so that families could come and use our playgrounds … You were sending out three mini buses everyday to go round and check on children, to deliver food, to deliver work packs, swap things round, do welfare checks through windows. You know that that kind of thing. *George, COVID-19 Guidance.*

Headteachers also undertook additional labour in an attempt to engineer some degree of 'fit' between the policy and their setting. Many salient examples of this were in relation to COVID-19. As noted previously, government guidance that all children with EHCPs should receive on-site provision during lockdowns placed special schools in an impossible situation because almost all students in a special school have an ECHP. However, operating at full capacity was impossible in light of decimated staffing levels, shortage of medical grade PPE and inadequate space on school premises. This led to additional labour in the form of devising further extra-statutory criteria for limiting on-site provision which would be justifiable to families:

We basically went through those students and if they were Looked After, if we thought they were either vulnerable because of social care need and/or a health need then we would offer a place, but the majority of them didn't. So we kind of played law and order really in terms of having that discussion with parents … so we were just adding layers of kind of criteria on to be able to distinguish that and sometimes we could only offer maybe like a three day placement. *Claire, COVID-19 Guidance*

We essentially went to the social care register and started with those families. You know children on child protection, those CiN [Child in Need] with active involvement, those CiN with inactive involvement, those that we just know are not under any service but are going to find this almost impossible to manage and then we basically said 'you can come in and everyone else can't …' The number of times that you sit here in this job and go 'the Government have no idea what they've just done' … *Ben, COVID-19 Guidance*

Running alongside the government expectation that all young people with EHCPs should be on-site was the expectation of full medical-grade PPE (Personal Protective Equipment) and use of a separate room when staff were carrying out Aerosol Generating Procedures (AGPs). This generated a great deal of additional labour for Special School Headteachers compared to their

mainstream counterparts as they tried to reconcile these demands with the realities of medical-grade PPE shortages and inadequate space and staffing:

> I had to take out of commission a small play area and that became [this student's] room. So, the TA that worked with her in full PPE, the student were in there for two hours a day. So you know I'm taking them out of their group. I'm taking the member of staff out of her colleagues. I'm taking a room out of Commission because I've had no further space. And so, yeah, that was really difficult, and you know, and I don't know whether there was or there wasn't evidence really to say that that was an appropriate measure. *Chris, COVID-19 Guidance*

> You would think that I'd asked if I could become the queen just to try and get some medical-grade PPE into school. The barriers and the hoops to go through was astonishing. And when we did finally get to a point where Public Health agreed that that could be a thing and we had to have obviously proper fitting, but then that was delayed because [they were] too busy trying to fit all the NHS staff and they didn't see us as that kind of first wave of responding, because we're in a school setting. *Claire, COVID-19 Guidance*

There were also more routine instances of additional labour to make policies 'fit' beyond the pandemic. For instance, Rose found the National Curriculum for Computing abstract and unrealistic for many of her learners, and so had to devise a way of minimising its impact whilst still signposting inspectors to evidence of compliance:

> So what we had to do was we have disaggregated the computing curriculum throughout all of the subjects. So for those that might be able to access it, Boolean sequencing goes into Maths, and there are other things, coding, that goes into Design Technology and we've kind of pushed it out into all different subjects. So we can signpost where those entitlement parts are for those very most able students … *Rose, Computing Curriculum*

In parallel to this disaggregation of 'Computing', Rose's school created a new subject they named 'Applied Technology' which would cover practical skills such as word processing which she considered essential for her students but lacking in the Computing Curriculum. This was additionally labour-intensive for staff:

> [A] huge amount of extra work, you know, a whole brand-new
> curriculum and system of assessment. And materials and resources
> and the work of then breaking down the computing curriculum,
> disaggregating it, and working out where it goes, it's just a disservice
> to our students and our staff. *Rose, Computing Curriculum*

A further dimension of additional labour for Headteachers was the management of family and staff expectations in situations where a policy seemed to promise provision that the Headteacher considered undeliverable. Such policies could result in a perception that the Headteacher was failing to enact a statutory requirement, and this had potential to place strain on their relationships with families and school staff alike. This was very apparent in the context of COVID where families were left frustrated at the mismatch between the Government assurance of on-site provision for all children with EHCPs during lockdown and the reality of limited school capacity:

> When COVID first hit, that discussion [about limited on-site provision]
> was quite easy with some of those parents because they were
> frightened. As time moved on, they just got fed up with the situation
> and was very antagonistic about that decision that we made … I had a
> parent who reported me to the local MP because I was not following
> what Boris Johnson had said. *Claire, COVID-19 Guidance*

Given that the first iteration of policy documents often overlooked the needs of special schools, George found it necessary to take timely decisions without government guidance and to justify any subsequent discrepancy to families:

> You were managing particularly in the early stages, the panic of staff
> and children and families. And I say to families right, this is what we
> think we need to do. I got the guidance on that after we'd made
> these decisions. So that's not - and when I did get the guidance, it's
> not particularly useful. So I'm just trying to work it round to make
> everybody safe. *George, COVID-19 Guidance*

For Chris, the unattainability of aspects of COVID-19 policy which were possible in mainstream schools such as testing and social distancing contributed to a 'culture of fear':

> Because actually, if you're a TA [Teaching Assistant] and you were in
> the first lockdown classed as clinically vulnerable, but you've got to
> go back to work because they've changed the category, and then
> you've got an SLD [Severe Learning Disabilities] learner who wants to

> give you a cuddle who has not tested because they can't test - actually, that fear permeated the school and it was really difficult to manage. Really difficult to, you know, support people with their personal anxieties around the fact that the frameworks that we are working in a special school are unique. *Chris, COVID-19 Guidance*

Beyond the COVID context, George predicted that the proposals in the SEND Review Green Paper will leave him to explain to families why the promises contained therein are not deliverable if they become law:

> What we'll do is we'll increase family expectation again, because the Green Paper said it and then we'll have to be explaining that – I agree it's legal entitlement, but I can't deliver it because there isn't the person to deliver it. And even if I had the money to deliver it, you know, which is sometimes the conversation, I still can't get somebody to deliver it. *George, SEND Review Green Paper*

Chris experiences tension between how he would like to remunerate staff and maintain viable staffing ratios, and the reality of funding:

> The funding that we have in special schools is not high enough, there is always a tension with, you know, do we recruit another teacher? Do we close a class? Do we merge a class? Do we recruit a TA who leaves us? … how do I retain and reward my teachers? I have to do that internally - but there hasn't been a significant jump in those points [SEN allowance] for a very long time … *Chris, Teachers' Pay and Conditions*

Several Headteachers additionally reported spending time researching alternative ways of thinking about the issues covered in a policy. This was often linked to accountability and fear of being blamed for deviance from policy without adequate justification. For instance, Rose's school use a variety of approaches to teaching reading which do not always centre on government-approved Systematic Synthetic Phonics (SSP). She feels compelled to justify her approach by researching evidence which goes beyond SSP-affirming studies marshalled in support of government policy:

> [We] look at the EEF [Education Endowment Foundation], which is quite helpful, they are very good at seeking out best practice in other schools … what they have to do is really look for again, more

> subversive sort of research, more fringe research and keep a very
> good eye on current thinking. *Rose, Reading Framework*

Rose further finds it helpful to draw upon academic research around neurophysiology to support her position that a 'one-size-fits-all' policy such as SSP cannot take account of neurodiversity arising from brain injury, prematurity or learning disability. Citing prominent researchers in the field, she concluded:

> So what we know is we've got a population of children whose brains
> are ever more likely to have a topography which is atypical and which
> doesn't lend itself to phonics at all … *Rose, Reading Framework*

Having decided to 'ignore' Prime Minister Boris Johnston during the pandemic, Claire found it helpful to consult guidelines from the teaching unions about safe working conditions for staff:

> And up and down the country and you know, unions were getting
> involved in terms of you need to make sure you know that your
> employer is being responsible for your health and safety … I certainly
> looked at the Union guidelines. We were doing that and then some.
> *Claire, COVID-19 Guidance*

Several Headteachers invested time in engaging with representatives of the Department for Education (DfE) or other central or local government bodies as a result of their struggles with implementing education policy. Sometimes this engagement was undertaken simply to request guidance or clarification on the enactment of policy, and at other times it was undertaken with the objective of influencing change. For instance, Chris triangulated information from the written policy, national Public Health England and his local Public Health team in an attempt to make sense of how COVID-19 guidance could be enacted with his learners:

> [I] was really fortunate that the local Public Health team were
> incredibly responsive. Nationally I found them atrocious. It was just -
> you just couldn't get in touch with anyone and get advice. But the
> local team … they would give me a straight answer and they would
> also sometimes give me advice that was counter at the time to what
> the national picture was … *Chris, COVID-19 Guidance*

Rose similarly triangulated conflicting advice from written policy, her Local Authority, and her own independent research described previously to reach a decision about teaching reading in her school.

> [Our Local Authority] are quite clear and pragmatic about the fact that any SEN practitioner worth their salt would not hang all of their practice on phonics and would recognise that it has a limit to its scope, but they have to do the same thing, which is to encourage us to effectively play the game. ***Rose, Reading Framework***

George attempted to liaise between central government (Department of Health) and local government (Local Authority) in order to unpick whether inadequate mental health provision for his learners is the direct result of policy writing or the subsequent commissioning of services based on misinterpretation of policy:

> I ended up speaking to the Director of Mental Health at the Department of Health because I was furious again. Um like - who designed this? And her response was that was *never* in the policy design, what you're describing, they were supposed to commission it properly. You know, this is where people have gone for easy things to cover 50% of the school population, not useful things you know. So with that information, then in the last 2 ½ years, we've been working with our Local Authority to change the mental health support team scenario to get what we need or to get a little bit of what we need [laughs]. ***George, Mental Health in Schools***

Ben spent time liaising with the DfE to explore more flexible ways of spending National Tutoring Programme, before eventually giving up:

> So we engaged with it repeatedly to try and persuade them to allow us to do what would be in the interests of the children and when it became clear that they were incapable or unwilling to give the flexibility … I kind of disengaged with it after a while because I was so far removed from being interested in doing it that I didn't really follow the changes … ***Ben, National Tutoring Programme***

Emotional consequences

The task of managing the mismatch between national education policy and the operational context of a special school also has consequences for the emotional wellbeing of special school Headteachers. This section reviews the range of emotional responses described by participants which included overwhelm and crying, precarity, anger and frustration, a sense of abandonment, disengagement, feelings of guilt and inadequacy, and conversely pride in continuing to operate within a difficult policy landscape.

Leading a school through COVID-19 was undoubtedly a stressful situation for all Headteachers, including those leading mainstream provision. However, the combination of Clinically Extremely Vulnerable (CEV) learners who could lose their lives to the virus and a perceived lack of clear guidance from central government left special school Headteachers overwhelmed by the responsibility of decision-making. The enduring effects of this overwhelm were evident during interviews when two participants were moved to tears by revisiting this time in their careers:

> Many staff just said we just had to listen to you [Claire] to get us through – whatever you said, that's what we're going to do. Which was a huge responsibility on me. But equally, I was happy to step into that place because no one else did … my eyes are welling up, because I still feel quite emotional about it. Someone had to have that moral duty. My name's above the door - that had to be me. *Claire, COVID-19 Guidance*

> We're just over a year past the relaxation of the sort of the final restrictions, and from a wellbeing point of view, it took me a while to realise that I had stopped crying every time it was a holiday. I'd get to a holiday and it would just come out because I was holding so much emotional responsibility for everyone because it was me leading this … I just finally let go of this collective emotional responsibility because everyone came to you for a question, everyone wanted an answer. And sometimes the answers you're trying to give them are not great answers, you know, it's like actually, I don't know, this is my best guess based on the information available to me. So we're going to go with that and if I get it wrong God help me. Because if I get it wrong something bad is going to happen … *Ben, COVID-19 Guidance*

Several Headteachers expressed an underlying sense of precarity. In some cases this related to Curriculum delivery, since the National Curriculum may be delivered with some creative 'workarounds' which are not typical practice in a mainstream setting. This could leave the school vulnerable to negative evaluation by OFSTED, depending on an inspector's degree of understanding of the mismatch between national policy (particularly National Curriculum delivery) and special school contexts:

> I'm in the hands of whoever rings up as the lead inspector, I'm in their hands of what experience they've had, how they interpret the framework in my setting. And that makes it a gamble, you know, and a roulette wheel, really … are they buying into the reasons why and our justifications of why we do what we do here? *Claire, OFSTED Inspection Framework*

Claire went on to describe how she used the initial 90-minute conversation with OFSTED which precedes an inspection to gauge the inspector's likely pedagogical leanings and to assess the likelihood of them being receptive to creative delivery of the National Curriculum. Rose similarly advises her staff to be careful:

> I've had to speak to my English team about - look, you're going to have to almost the way with the conversation because if you get a really good SEND inspector … they're going to know that [Systematic Synthetic Phonics] isn't the panacea, and they may *not* want you to be spouting, you know, the gospel according to phonics. So you know it's exhausting having to think – okay, so we'll like, almost see which way they seem to be leaning, and try not to give away any information until we get a better idea of what they're really thinking. ***Rose, Reading Framework***

Precarity can also be financial, with inadequate funding making some policies undeliverable:

> My biggest anxiety as a Head in a special school is ongoing finances. And you know, I can't bury my head in the sand and say it's going to be okay. ***Chris, Teachers' Pay and Conditions***

A sense of anger and frustration was evident throughout the interviews. For Chris, this was general frustration at special schools being a policy afterthought:

> It makes you just think, well, does anyone really think about special schools within policymaking? … I mean, it's frustrating because actually … everyone should be on the same playing field. So if there's a conversation about schools, then that should be about every type of school in the public sector, as opposed to it just being about secondary schools or primary schools. ***Chris, General Discussion***

Ben alluded to the frustration of policies which only benefit certain learners, such as the National Tutoring Programme:

> I was really angry about this one. Really angry because it created a situation where school leaders were placed in a position of choosing who got and who didn't get, and that's not what we're about. That's not what we do the job for, you know … ***Ben, National Tutoring Programme***

Similarly, Rose experienced frustration at the Reading Framework which she did not consider appropriate to some of her learners:

> Oh, because it really really maddens me that the government, and therefore Ofsted are so dogmatic about this … what's frustrating about it is that [Systematic Synthetic Phonics] is being promoted as the panacea to all reading when so many children don't find that an effective way to learn to read. And that puts real pressure on schools … *Rose, Reading Framework*

For George, it was frustrating to read worked examples and case studies appended to policies which were ostensibly about SEND but never seemed to reflect the complex needs encountered in his setting:

> At some level that just becomes frustrating when you're working with complex young people … if somebody had ever led a special school, had worked intensively at strategic responsibility level within a specialist institution, you'd be thinking that you know that first example is a nice one to keep in, 'cause you're reassuring some staff, but then you need a proper complex example. *George, Mental Health in Schools*

Claire experienced anger at the thought of her school going to great lengths to implement difficult policy restrictions during COVID-19 whilst those same restrictions were being disregarded by government:

> That's the thing that galls me the most, you know. To thank staff in July when restrictions had been released a little bit we [had] an end of term barbecue … we all sat out on our school field two metres apart. And yeah, we're doing that and then there are people who are partying and not giving a damn. And it absolutely galls me that at that point, when we needed moral integral leadership, that that wasn't coming from the top. *Claire, COVID-19 Guidance*

There were also instances of Headteachers expressing a sense of abandonment. This was felt most acutely in the context of COVID-19 Guidance and the subsequent lack of advice about how to operationalise it in a special school:

> I do feel it left a lot of us hung out to dry a little bit in different ways, and in some cases with very, very, very tragic consequences. *Ben, COVID-19 Guidance*

And it was just almost as if society had said 'computer says no', that we don't have that legislation. So no, we can't guide you. It's up to you. Wow, you know, so I'm taking, I'm taking on the responsibility of life-or-death decisions, and that sounds quite extravagant and overexaggerating. But at that point it was exactly that. *Claire, COVID-19 Guidance*

However, this sense of abandonment was also evidenced in more everyday contexts, with Chris suggesting the DfE are more interested in holding schools accountable for failure to implement policy than in offering support:

I think you know, like a lot of stuff from the DfE, it comes back to - it comes back to schools being told you need to sort this. We're not going to tell you *how* to sort it. But you need to sort it and the way we'll test it is by coming in with OFSTED and asking a question. How do you manage workload and wellbeing? Now that doesn't change anything, it just puts pressure on heads and senior leaders ... *Chris, Teachers' Pay and Conditions*

Another reported Headteacher response was partial disengagement with policies and policymakers in order to preserve mental wellbeing. Sometimes this was done intentionally when policy was perceived as impossible to implement, as in the previous example of Claire deciding she needed to strategically ignore Prime Minister's Boris Johnston during COVID-19 and instead listen to her staff. For George, rote responses and lack of meaningful advice tailored to his context led to a decision to limit engagement with Public Health England:

So ultimately then what that led to is nobody bothered phoning in when you had outbreaks or you needed advice, you just created it yourself, which then probably fed into the issue that they didn't know just how disastrous it was. *George, COVID-19 Guidance*

Disengagement also occurred in more everyday operational contexts, with the aim of recapturing a sense of personal agency in the face of impossible policy demands:

I probably sound just totally disillusioned with the whole thing. But like - I think I'm just disillusioned and to be able to cope with that, I shine the light inward and outward into what I *can* control. And try and drown out the rest. *Claire, SEND Review Green Paper*

George described the temptation to disengage from interactions with health and social care counterparts because of repeated disappointments in the past:

> A really frustrating community special school scenario that I have to fight against all the time [is the conclusion that] there's no point involving external professionals because we end up having to do it all anyway … *George, Mental Health in Schools*

A further emotional response was a sense of guilt arising from the awareness that policies were not being implemented as they might be in a neighbouring mainstream school. This led some Headteachers to question their own decision-making, since the task of full implementation appeared impossible in a special school, yet the policy document appeared to expect it:

> Yeah, but it's like you're not good enough, and you're not doing well enough for your students, you know? … all three [policies] put you in this sort of weird place to say where you've got this guilt, this secretive thing and this sense of as I say being a bit disingenuous. It's quite stressful. And then added to that accountability, fear and anxiety as well. *Rose, Careers Guidance*

> Am I proud that I had a small - and it was small - but a small group of students that were out of education for 18 months? No, I am absolutely not. But there was nobody in the system that was enabling us to try and problem solve in a solution-focused way. *Claire, COVID-19 Guidance*

Conversely, some Headteachers alluded to a sense of pride in continuing to execute their job well despite external challenges. Reflecting on the difficulties of operating during a pandemic, Ben commented that *'it's something I look back on with real pride, you know, and horror'*; whilst George noted that *'the teamwork, the support, the care amongst the staff to each other and their families was beautiful'*. Chris noted that for special school staff, pride can be part of an ambivalent response to being entrusted with delegated complex medical interventions:

> I think some staff feel that it's a real badge - not a badge, an honour, you know that actually they're being trusted to do it and others get to the point where they think actually there is too much responsibility for that process. And I think that you know those two things can be, um, staff can feel that at the same time, feel both emotions. It is an incredible responsibility … *Chris, Medical Conditions at School*

Summary

In this section of the report, findings were presented to illustrate the consequences of attempting to make national education policy 'fit' in the context of a special school. It was noted

that Headteachers adopt a range of strategic responses to implementation, from full implementation despite misgivings, to outright rejection, to a middle ground consisting of an external-facing narrative of compliance which does not mirror everyday practice. Findings also illustrated that the work of engineering a degree of 'fit' between policy and setting had significant workload implications for Headteachers. There was evidence of much additional labour including Curriculum redesign, liaising with government departments and other bodies to obtain clarification or triangulate perspectives on the policy topic, managing expectations of families and staff where policy promises the undeliverable, undertaking academic research to justify deviation from policy orthodoxy, and compensating for perceived deficits in the contributions of health and social care where a policy was supposed to be enacted through multi-agency input. Finally, it was noted that the strain of remaining accountable for implementing policies which do not seem to 'fit' your context has emotional consequences for Headteachers, with responses including overwhelm, guilt, pride, anger and frustration, disengagement and feelings of precarity and abandonment.

The next section of the report explores Headteacher perspectives on how policymaking processes might become more inclusive of special schools in England.

Towards more inclusive policymaking?

Introduction

The final area explored in this project was how policy(making) could become more inclusive of and relevant to special schools. Two broad themes were identified in headteachers' recommendations for making education policy more inclusive of special schools: *inclusive policymaking processes* and *inclusive policy design* (Table 5).

Table 5: Thematic analysis of Headteacher recommendations for inclusive policymaking.

Theme	Codes
Inclusive policymaking processes	Consultation with stakeholders
	Enhanced policy scrutiny within government
	Improved policy feedback mechanisms
Inclusive policy design	Resistance to separate policy
	Inclusive policy writing

Inclusive policymaking processes

Participants identified areas for improvement in terms of the processes which underlie the production of a policy document. Specifically, participants suggested a need for more consultation with stakeholders, enhanced policy scrutiny within government, and more agile feedback mechanisms to enable communication between practitioners and policymakers.

The need to involve stakeholders in drafting policy was flagged by four Headteachers. George noted the importance of representing the heterogeneity of the specialist sector when consulting:

> I think first of all you would have had somebody from the Department of Health and the Department of Education who took ownership of specialist advice, I think, alongside that they would have created like a group of three or four different types of special school Heads, as like a sounding board … Because there was nobody sitting there who'd ever run a special school. Yeah, and one person who's ever run a special school wouldn't have been good enough anyway, because there's such a range in special schools, isn't there?
> ***George, COVID-19 Guidance***

For Claire, underlying issues about how government departments work together need addressed for consultation to be effective:

> I think all sectors should be round the table. I think health and social care and educationalists should be round the table and I think it should be people who understand each of the sectors … but before getting round the table for that, for me, there's got to be some change with how they interface together. Because otherwise it's just going to be a bit of a bunfight. And who pays for what? *Claire, SEND Review Green Paper*

Claire also noted that consultation needed to include the lived experience of families:

> Parents, at some point all their voices need to be heard, don't they? Absolutely. You know, parents' lived experience is like something out of a war-like movie. You know they go to battle, like it's traumatic. And they're ping ponged between the services. *Claire, SEND Review Green Paper*

One suggested form of consultation was to involve Special School Heads in 'proofreading' policy – a form of light-touch consultation which seems to be confined to advising on practicability of policy at the end-stages rather than shaping policy direction:

> It doesn't strike me like it would take too much work for, you know, a couple of PMLD school heads to come together and say 'right, there's the policy, okay - for a special school, you would need to put it into practice using - this is the lens that we would use to look through it'. *Chris, Medical Conditions in School*

In contrast, Ben preferred a more extensive role for stakeholders in a process more akin to co-production. This would mean stakeholders shaping the direction of policy from the beginning rather than engaging in a *post hoc* consultation exercise:

> But what we do need to do is make sure that there is thoughtful consideration of our sector at the point of conception of, of policy and also ensure that policy isn't always just informed by governmental perspectives on what needs to change … I think policy needs to be shaped by the perspectives of those that are experiencing the system and at the moment, I'm not convinced that

> it is. So we spend a lot of time remediating well-intentioned thoughts that haven't really been designed with our children in mind. *Ben, Pupil Premium*

Ben went on to suggest that policy co-production partners should include not only families but also disabled young people affected by the proposed policy:

> So I think for me it would be having people that are expert in policy, expert in SEND with lived experience, either because they have a learning disability or they have an immediate family member with one, or they work with people and just have a little group that can go through each policy and say – 'going to be a problem with that', or 'that's a really good idea, really like that bit', you know, 'can we build on that' or 'can we just tweak the wording here so that we give a little bit more freedom to this particular part of the system to interpret, you know, your policy priority in a way that actually influences positive change for those that they work with'? *Ben, Pupil Premium*

It was also suggested by some participants that there could be enhanced measures for scrutinising draft education policy within government. In England, the Education Select Committee is a cross-party group of Members of Parliament (MPs) which is tasked with scrutinising the expenditure, administration and policy of the Department for Education. Claire felt that the Select Committee does understand some of the policy implementation issues facing the specialist sector, but questioned the extent of their power to influence policymaking:

> The sense that I got from the Education Select Committee was that they totally understood this agenda. But what concerned me was well, how powerful is your voice? But how strong is their voice you know, feeding up to the top echelons of the government? … I don't think they get to the cabinet. And it's like - well then, who has the power? What is the point of all these Select Committees? … *Claire, COVID-19 Guidance*

For Chris, the process of scrutinising the inclusivity of education policy needs to become an automatic and routinised part of the policy writing process:

> You almost need, like you know, some people put on their laptops a really important bit of information, you stick it up in the top corner on your computer screen - YOU MUST DO THIS. You know, so it's like you just want them to think – right, have I included

secondary schools? Yes, that's good. Primaries? Yes. Have I
included special schools and AP [Alternative Provision]? Yes -
good. I can now send that message. *Chris, Medical Conditions in
School*

Ben considered whether this routine scrutiny should be formalised in a format such as an
Equality Impact Assessment of each policy document:

If you're doing policy that affects a broad population of people you're
supposed to do an equality impact assessment and the notion of the
equality impact assessment is that you're not going to
disproportionately disadvantage anyone with protected
characteristics. *Ben, Pupil Premium*

However, he went on to argue that such formalised scrutiny should actually be more ambitious
than avoiding disproportionate disadvantage:

But that's not the right way, because these people are inherently
disadvantaged by the status quo. What we need to be doing is
making sure that any changes to policy disproportionately *advantage*
them. Otherwise all we're doing is locking in the disadvantage that
already exists. *Ben, Pupil Premium*

Several headteachers underscored the need to reflect critically on implementation of a given
policy and to ensure that practitioner feedback is heard and acted upon by policymakers in a
timely way. Whilst a COVID-19 Inquiry is currently underway in the UK whose remit includes in
general terms 'core UK decision-making and political governance', Chris expressed a desire for a
more focused formal review of COVID-19 policy for special schools involving the DfE and the
NHS:

I don't feel that there's been any kind of formal review … if this
happened again, would we do the same? … what is the learning from
this, from the pandemic? I don't get that sense from the DfE or the
NHS that there's a will to do, you know, navel-gazing and let's review
everything that we did and learn from it for next time … *Chris,
COVID-19 Guidance*

For George, trying to offer feedback on policy implementation issues during the pandemic was a
frustrating and bureaucratic process. He felt that a more agile feedback system is needed which
would enable rapid responses and adjustments to guidance:

> It could have been that the DfE sent out like a weekly straightforward questionnaire, you know – is this working? Is it not? You know, they could have used a Microsoft Forms type of thing couldn't they, you know, they could have collated it all themselves really quickly. And because when you phoned the DfE helpline, all you got were people apologising. You know: 'you're right, the guidance isn't clear. I'm sorry I haven't got anything better for you. We keep escalating this'.
> *George, COVID-19 Guidance*

Inclusive policy design

Participants also discussed ways in which policy documents could be written more inclusively of diverse settings within the English education system. Specifically, there was discussion of whether special schools should be the subject of a separate policy document, the use of Appendices and case studies within a policy document, and the argument that policy should start with the most complex learner rather than a typical mainstream student.

There was broad agreement amongst participating Headteachers that it was preferable for special schools to be included within the main policy document. For Ben, routinely producing separate parallel policy for special schools could further entrench the conceptual division between 'mainstream' and 'special':

> I wouldn't go for a different policy. I do worry about the segregation … we can't get away from the fact that as special schools we are segregated provision and then we have to work really hard to minimise the consequence of that segregation and maximise the benefit of it. So I think wherever possible we should be included within policy … And if you look at the percentage of children, you know, educated outside of mainstream [in England], it's increased quite dramatically. And I think if you start writing policy in that way it legitimises that practice … *Ben, Pupil Premium*

However, Ben did note that the exceptional circumstances of the COVID-19 pandemic might have merited separate policy guidance for special schools *'that was far more detailed and far more thoughtful and far more considered than what we actually got'.*

Claire expressed concern that a separate policy for special schools would obscure the heterogeneity of provision in the special sector:

> I'd be reluctant to because special schools in themselves are not a homogeneous group … I think it would do a disservice because in the same way that children with SEND are done a disservice by being treated as a homogenous group, then it would be the same disservice to do that to SEND schools. I think the answer is to have one policy, but a policy which is appropriately nuanced to give you know, quality wording which enables everybody to comply. *Rose, Careers Guidance*

An identified advantage of inclusion in the main policy document is its potential educative function, since information about the operational context of a special school will then reach an audience of mainstream Headteachers. For this reason, Chris supported the use of special school worked examples of implementation in policy appendices, a feature of some but not all of the policies discussed in this study:

> What it would do is give everyone in education a really clear understanding that, you know, special schools look after the most complex, most vulnerable young people. And even if it was put in an appendix, a Headteacher from another school would look at that and think, actually, I can understand why the ratios are as they are, the funding is as it is. *Chris, Medical Conditions in School*

Claire expressed ambivalence about whether special schools should continue be subject to the same OFSTED inspection policy as mainstream schools. On the one hand, she did not wish her school to be exempted from external scrutiny: *'I want something with rigour, but I want something that I feel that I can identify with for my children'.* Claire briefly considered whether an alternative inspection model such as the SEND Review of Local Authorities might be more appropriate for special schools since it could evaluate the interplay between education, health and social care in the lives of disabled young people. In the end, she concluded that it was actually desirable for special schools to remain subject to the general inspection framework because if the policy adapted to reflect this intersection of services it would benefit mainstream learners also:

> [The current SEND review] leads us to believe you know that actually we all need to be doing what special schools are doing - well then, this has got to change for mainstreams, you know? So maybe then we *could* be in a position where it is all in one place and we actually have a framework that reviews holistic care for young people in education. *Claire, OFSTED Inspection Framework*

The use of appendices to the main policy providing worked examples of implementation in a special school received a mixed response from other participants. One concern was around lowered expectations of learners:

> Sometimes I think an appendix can be helpful, but the difficulty is if you start separating our sector out and you don't do it in a really, really careful way, you could risk lowering expectations and ambition by accident, you know - we don't expect *you* to do that, we've got all this stuff for the kids in mainstream, you could just carry on doing your own thing. ***Ben, General Discussion***

George felt that special school examples in appendices are welcome in principle but often don't reflect the complex needs of his learners. For example, discussion of 'anxiety' under mental health policy doesn't reflect the very complex cases of Emotionally-Based School Avoidance (EBSA) he encounters:

> It's nice, they were mentioned, at least they remembered that special schools exist … the fact they've used examples of special schools is good. It makes sense and it's logical, but the detail in those examples is – yeah well, we knew that we'd be doing that without asking you … you need a proper complex example. You know - somebody who actually the family are struggling to even get in the car to get to the school. So you're going to need to have a social care input as well. ***George, Mental Health in Schools***

Conversely, Rose was strongly opposed to this use of worked examples in policy appendices:

> No, I find them absolutely nauseating. I never want to read about perfect school in perfect town with perfect students. I deliberately don't read them because they're usually so vacuous. They just they just aggravate the sense of inadequacy … If the example has to be made to illustrate the policy then the policy isn't constructed well enough. ***Rose, Careers Guidance***

There was some consensus amongst participating Headteachers that policy would be enhanced for *all* learners and settings if the most complex scenarios and settings were taken as starting points instead of mainstream:

> I'm a great believer that if you can design policy for the most complex parts of the system, it's probably not going to disadvantage those

parts of the system that are less complex. But if you if you only ever design it for the majority, for the broad brush, for the generalist, then you will find areas that require a much more specialist view not getting what they need from things. *Ben, Pupil Premium*

Centring thinking around the most complex scenarios, Ben argued, would ultimately produce policy which would require fewer reiterations or clarification:

But what normally happens is that it's all a bit post hoc … they will spot problems in policy, and then that policy will sometimes be remediated to address that challenge and sometimes it won't be. And it feels like a backwards way of working … *Ben, Pupil Premium*

George and Rose similarly felt that the centring of more complex learners in policy would ultimately benefit everyone by ensuring that provision and expertise is there for mainstream schools to draw upon also:

In doing so, you provide structures that educate other people around them that enable them to help with the less complex scenarios. So they have more confidence and they know when they need it, there will be - the cavalry can arrive, as it were. *George, Mental Health in Schools*

You'd have to start it from the position of a special school, but it would then work for every school. *Rose, Careers Guidance*

As an example, if the Pupil Premium funding model had incorporated the circumstances of special schools, it might have produced a more flexible policy for everyone:

It just feels as though [Pupil Premium] wasn't designed for us, you know? It's not valued in the way that I think it ought to be from a special school's point of view, and therefore the learning that could come from that, you know, in terms of how different schools are using it in different ways to effect change is kind of just a missed opportunity. *Ben, Pupil Premium*

This flexibility could be achieved through policy which presented options for diverse settings and opt-in/opt-out possibilities:

> I would suggest that they provided an opportunity for special schools to opt out and receive the funding directly. I'd even accept that we then have to evidence expenditure in a similar way to Pupil Premium and we have to evidence that we spent 25%, you know of our own money to deliver whatever it is we deliver. *Ben, National Tutoring Programme*

More choice points embedded within curriculum policy would also be welcome for Rose in allowing teachers to exercise professional judgement about the needs of their learners:

> I think the wording could easily be very clear that phonics is the starting point and is the universal likely route to reading, but that *when*, and not *if*, *when* this you know isn't sufficient, then other strategies should be deployed and you know some examples given or some ideas about that. And that would solve it for everybody … I think [a good policy] would give room for professional judgement and it would point to an evidence base to draw on to inform that professional judgement. *Rose, Reading Framework*

Summary

This section reviewed Headteacher recommendations for making policymaking processes and policy design more inclusive of special schools. There were diverse opinions in some areas, indicating that further discussion is needed. Increased consultation with stakeholders including special school Headteachers received some consensus, although there was variation in the degree of proposed stakeholder involvement ranging from consultation to full co-production of policy. It was suggested that the Department for Education could have more robust and routinised processes for checking policy and its impact across diverse school settings prior to release, and that more agile feedback mechanisms would allow practitioners to feed back and receive clarification on the enactment of policy.

In terms of policy design, there was strong consensus that separate policies for special schools were not desirable and could further entrench their peripheral status within the English education system. Rather, there was a preference for flexibly written policies with choice points and opt-in/out options informed by stakeholder consultation, and a shared view that this would enhance the quality of education policy for *all* settings and not just special schools. Inclusion of special school considerations within general policy was also considered to have a potentially educative function for mainstream practitioners who may not have previously considered the working context of their special school colleagues. There were mixed views about the use of appendices to provide worked examples of what policy enactment might look like in a special school: whilst no participant found current policy appendices helpful, views ranged from dislike

of all appendix examples in principle to a cautious welcome if the content was improved to reflect the operational context of special schools. These mixed findings therefore indicate some tentative directions for future policymaking but require more widespread discussion within the specialist sector.

Conclusion

As outlined in the Introduction to this report, special schools occupy a contested and somewhat peripheral position within the English education system. Despite government insistence that special schools play a valued and important role and must continue to exist, education policymaking in England often appears to centre the experiences of learners in mainstream settings. This report has illustrated how special school Headteachers remain accountable for the implementation of policies which can be a poor fit for their operational context, and how this policy/practice disjuncture has significant implications for Headteacher workload and wellbeing. Indeed, the closest expression of positive affect throughout the interviews was the description of feeling pride in continuing to operate *despite* a deeply unhelpful policy landscape.

It could be argued that the ultimate solution to this issue lies in the abolition of special schools and a fully inclusive (non-segregated) education system for England, since segregating less than 2% of learners from their peers in mainstream schools will inevitably result in this minority being overlooked. This would be the position of English campaign group ALLFIE (Alliance for Inclusive Education), who argue strongly for England to align itself with international policy discourse on inclusion and to fully implement Art. 24 of the UNCRPD (UN, 2006) which commits to inclusive education for all (ALLFIE, 2023). Conversely, others have argued that special schools provide a high-quality, personalised experience of educational inclusion within a suitable peer group – what Kauffman & Hornby (2020) term 'appropriate instruction' – which can produce better adult outcomes than an insistence on inclusion in mainstream provision. This report does not adopt a position on this complex and ongoing debate. Rather, it takes a pragmatic approach, arguing that given the UK Government's apparent commitment to the ongoing place of special schools within the education system and the likelihood of them continuing to exist in England at least in the medium-term, a concomitant commitment to writing inclusive education policy must follow.

The small number of participants in this study permitted a qualitative 'deep dive' into lived experiences of implementing national education policy in a special school, and the subsequent compromises, frustrations and devised workarounds. It is hoped that this study will provide a springboard for further investigation of how national education policy can become more cognisant of special schools and their particular operating contexts. In this sense, this section is perhaps less of a conclusion than a 'provocation', with the following suggestions for further discussion amongst practitioners, policymakers and researchers:

- o How do the findings in this study compare with the experiences of other potentially marginalised education settings (Early Years, Alternative Provision) when implementing national education policy?
- o What current processes for stakeholder consultation on education policy exist, and could they be made more robust and routine?

- o How can stakeholder consultation reflect the heterogeneity of special schools?
- o What form should stakeholder consultation take (consultation versus co-production)?
- o Is there a case for formalising some form of equality impact assessment specifically for national education policy to ensure it does not disadvantage a particular sector?
- o How can the policy and guidance needs of special schools be prioritised in the event of future pandemics or other national emergencies?
- o What could flexible policy with embedded choice points for school leaders look like?
- o Is flexible policy wording suggested by participants considered politically desirable, particularly in areas such as reading instruction where there is a strong policy orthodoxy from the current government in the form of Systematic Synthetic Phonics?
- o Could the centring of special schools (and learners with complex needs in mainstream settings) rather than typically developing non-disabled learners improve policy design for everyone?

In the post-pandemic landscape, it is more important than ever that education policy reflects and accommodates diversity in how education is enacted across the various settings which constitute the English education system. COVID-19 brought into sharp relief the tendency to overlook special schools which already existed in more everyday policymaking, leaving Headteachers feeling unsupported and alone despite educating many of the most Clinically Extremely Vulnerable (CEV) young people in England. The findings here suggest that COVID-19 policymaking and its associated consequences for special schools was different only in degree of acuity rather than categorically different from more everyday policies. The needs of non-disabled learners in mainstream schools are routinely centred in Curriculum guidance, school administration policy and school inspection frameworks also. Whilst disabled young people educated in special schools constitute less than 2% of the school-age population in England, considering the enactment of policy content in complex rather than statistically frequent scenarios is likely to produce nuanced and considered guidance which exerts a positive washback effect for diverse learners across all educational settings. If special schools are to continue to play a role in the English education system, as the direction of UK government policy suggests they will, then education policy must evolve to ensure that it provides a framework which enables high quality education for all learners, and that no setting is left behind.

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