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Hunter, J., Runswick-Cole, K., Goodley, D. et al. (1 more author) (2020) Plans that work: improving employment outcomes for young people with learning disabilities. British Journal of Special Education, 47 (2). pp. 134-151. ISSN 0952-3383

https://doi.org/10.1111/1467-8578.12298

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EMPLOYMENT OUTCOMES

Plans that work: improving employment outcomes for young people with learning disabilities

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This article offers a critical reflection on the function of education, health and care plans (EHCPs) in pathways to employment for disabled young people. We consider 'the education plan' as an artefact of special educational needs systems. We problematise the often taken-for-granted assumption that such plans are always and only a 'good' thing in the lives of disabled young people seeking pathways to employment. At the same time, we consider the rise in demand for plans that are understood by many as a crucial mechanism for achieving support. Following the recent policy reforms in England, we describe a context in which the funding of education is shrinking and in which the promise of employment for disabled young people has yet to be delivered. We conclude by proposing some changes to policy and practice to enhance employment opportunities for disabled young people.

Key words: **SEND, EHCP, employment, learning disability**

Introduction

This article offers a critical reflection on the function of Education, Health and Care Plans (EHCPs) in pathways to employment for disabled young people. We begin by orienting the analysis to our disciplinary locations, before examining 'the education plan' as an artefact of special educational needs systems across the global North. We problematise the often taken-for-granted assumption that such plans are a 'good' thing in the lives of disabled young people; at the same time, we consider the rise in demand for plans which are

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DOI: 10.1111/1467-8578.12298

understood by many as a crucial mechanism for achieving support. We then turn to our particular geopolitical location and the current system for special educational needs and/or disabilities (SEND) in England, following the recent policy reforms (DfE & DoH, 2015). We describe a context in which the funding of education in general, and for children 'with SEND' in particular, is shrinking, and in which the promise of employment for disabled young people has yet to be delivered. We conclude by proposing some changes to policy and practice to enhance employment opportunities for disabled young people, and call for a socially just system in which no child is reduced to the category of 'special need'.

Disciplinary locations: disability studies in education meet critical disability studies

We begin by outlining the disciplinary traditions that inform our work. We draw on the developing field of critical disability studies (CDS) (Goodley, 2013: Meekosha and Shuttleworth, 2009) and Disability Studies in Education (DSE) (Corcoran et al., 2015) to consider the place of the EHCP in the lives of children and young people labelled as having SEND in England. Here, we place a particular emphasis on their role in enabling pathways to employment for young people with learning disabilities. CDS pays attention to the ways in which gender, (hetero)sexuality, race, ethnicity, class poverty and imperialism intersect with dis/ability to produce marginalised subjects (Goodley, 2013). DSE has also focused on the production of marginalised subjects and has contributed much to the traditional field of special education, which has too often been haunted by the discourses of deficit, lack and individualisation (Baglieri et al., 2011). CDS and DSE provide a range of vital theoretical resources through which to (re)consider the function of education support plans (Baglieri et al., 2011).

Education plans: a global practice

Education support plans are a widespread phenomenon, documenting the 'support needs' of children across the global North. The focus of our analysis is on the SEND system in England. Before we trace the recent history of the current EHCP in England, we begin by contextualising the place of 'plans' in the lives of children who are categorised as having special educational needs across the globe. Our CDS and DSE disciplinary locations make us wary of categories, like 'special educational needs', that are built on a presumption of deficit, and that locate the 'problem' within the child, rather than paying attention to the intersectional ways in which some children become a 'problem' in education (MacClure et al., 2013). In the literature, much attention has been paid to the discursive functioning of the category of special educational needs, drawing on Critical Discourse Analytic (CDA) approaches, to expose the ways in which children who attract the label are marginalised, othered and denied their right to full participation in education (Allan, 1996; Runswick-Cole & Hodge, 2009).

We draw on these theoretical resources as we consider the function of an 'education plan' in the lives of children and young people with SEND in England, particularly as this impacts on their pathways to employment. We question the conceptualisation of education plans as inherently a 'good thing' as we examine the ways in which plans function in the lives of disabled young people transitioning to employment. Our interest in plans developed as part of a recently completed project, 'Big Society? Disabled people with learning disabilities and civil society' (ESRC ES/K004883), that broadly asked how people with learning disabilities were faring in a time of economic austerity. One strand of this work focused on employment and the role played by education planning in young disabled people's transitions to work. This led us to offer this critical reflection on the ways in which plans currently work to facilitate or to block pathways to employment for disabled young people.

We are writing in a constantly changing policy context. In October 2019, the House of Commons Education Committee published their report on the progress made in implementing the changes brought about by the Children and Families Bill, 2014 (House of Commons Education Committee, 2019). The report is to be welcomed for calling for a 'culture change' (House of Commons Education Committee, 2019) and for recognising the lack of oversight of the investment that was needed to implement the changes required by the new legislation. However, the Committee maintains that:

> '[t]he reforms were the right ones. But their implementation has been badly hampered by poor administration and a challenging funding environment in which local authorities and schools have lacked the ability to make transformative change.'
>
> (House of Commons Education Committee, 2019, p. 3)

We disagree. As we explain, the reforms have done little to challenge the individualised, deficit model of children with special educational needs upon which the 'reformed' system continues to be premised.

Problematising plans

When children with special educational needs have ‘education plans’ attached to them, the plans typically document the ‘difficulties’ with learning and/or behaviour a child ‘has’ and the ‘support’ needed. Plans are designed to remediate these difficulties, and, where possible, to move the child towards a ‘normal’ learning and developmental trajectory, commensurate with the behavioural and academic norms expected of other children of the same age (DfE & DoH, 2015). Children, whose learning or behaviour leads practitioners and/or parents/carers to suspect that the child might be categorised as having SEND, are often subjected to the practices and processes of assessment and documentation necessary to construct a plan (Burch, 2018; Boyd et al., 2015; Heiskanen et al., 2018; MacLeod et al., 2017). The assessment process is widely understood as facilitating a (necessary) hunt for and identification of difference situated within the child (Baker, 2002); it is less widely understood as being part of the process of the construction of difference itself (Heiskanen et al., 2018).

Education support plans are usually drafted following a process of observation of the child, meetings between practitioners and parents/carers, and meetings that sometimes include the child themselves (DoE & DoH, 2015). There is currently a widely held belief that a child with a plan attached to them will receive the intervention and support required. In England, education plans have been characterised as a “‘golden ticket’ to better outcomes’ (Ofsted & CQC, 2017) and parents/carers have little faith that their child will be well supported without one. Parents’/carers’ and teachers’ desire for a plan is unsurprising in a context of shrinking budgets and limited resources in education generally, and in special education provision in particular, as we detail below. As a result, much of the recent research about plans has begun from the taken-for-granted assumption that an education plan is a ‘good’ thing and research has focused on the delays and barriers inherent in the system that deny children access to a plan, rather than on the ways in which a plan functions in the lives of children and young people (for a recent example, see Boesley & Crane, 2018).

Plans are almost always driven by adults’ concerns (Curran & Runswick-Cole, 2014). Children usually have little agency in the initiation and conduct of the assessment processes, which are almost always driven by adults (Heiskanen et al., 2018). Once a plan is produced, it then becomes firmly attached to the child. The plan follows the individual as they change and grow as children and young people (Heiskanen et al., 2018).

Education plans are often presented as, or perceived to be, neutral documents that merely record the difficulties that a child is experiencing in school and the support needed to remediate those difficulties. And yet, a plan can never be value-free (Heiskanen et al., 2018). Following a CDA approach, as we saw above, it becomes clear that rather than simply describing a child, the child is constructed through the plan as ‘a child with SEND’. In England, the ‘child with SEND’ is categorised as a child who has ‘greater difficulty’ in learning than ‘the majority of children’ of his/her age and, while this child has the right to an education in mainstream school, this is must not be ‘incompatible’ with the education of the other children (Education Act 1996). This language, locating the deficit within the child, has changed little since the adoption of the term ‘special educational needs’ in the Warnock Report (DES, 1978) that was subsequently taken up in the legislation that has followed (Education Act 1981; Education Act 1996; Children and Families Act 2014).

Far from being an objective account of a child, the plan is written from the perspective of governmentality (Rose, 1999; Heiskanen et al., 2018). In other words, governance is conducted through the identification of deviant or pathological individuals, in this case children, with a view to modifying them to act in accordance with societal norms and values (Rose, 1999). In a context of neoliberal-ableism, where children are valued for their future capacities as productive citizens who will place no burden on the limited resources of the state (Goodley et al., 2014), children with SEND are problematised through the processes of governmentality which mark them as potentially immature and dependent adults – a present and future threat to the good governance of the state in a time of austerity. It is important to note that so-called ‘typically developing children’ are also subjected to goal setting and measurement in marketised education systems and this also impacts on their experiences of education. However, children who are categorised as ‘having SEND’ are subjected to an increased level of surveillance, allegedly justified by their deviance from educational ‘norms’.

Despite these criticisms of the process of assessment and documentation in children’s lives, teachers, parents/carers, governments and others continue to be strongly attached to plans as the mechanism for meeting the ‘needs’ of disabled children (Boesley & Crane, 2018). The House of Commons Education Committee Report (2019), while demanding culture change, pays no attention to the consequences of characterising ‘children with special needs’ as having (or, perhaps, being) ‘problems’. Indeed, this categorisation has recently been taken up in the news media, where a headline originally suggested that money spent on ‘special needs’ (note the absence of the word ‘child’ or ‘pupil’) has been described as diverting money away from ‘pupils’ (Hurst, 2019).

Under the current neoliberal logic, which demands that deviance from the norm is acknowledged and recorded in return for support to be given, plans become a necessary mechanism for improving outcomes for children. Indeed, the recent reforms in England have been designed to strengthen and extend the scope of plans for children with SEND to include a record a child’s health and social care needs alongside their educational ‘needs’ – regardless of the effectiveness of the reforms (House of Commons Education Committee, 2019). Despite our misgivings, it is clear that plans are here to stay, reaching further into every aspect of a child’s life.

The place of planning ‘post-reform’ in England

In 2011, the new Coalition Government’s Green Paper, ‘Support and aspiration: a new approach to special educational needs’ (DfE, 2011) claimed to set out a radically different system for the education of children with SEND. The primary aim was to promote better outcomes for children and young people, while at the same time giving parents/carers more confidence in the system and passing power to frontline professionals and local communities (Norwich & Eaton, 2015). There was widespread agreement that there was a lack of parental confidence and that this was contributing to conflict within the SEND system, often driven by parents’/carers’ desire for a plan for support and the reluctance of local authorities to agree to develop or to resource them (Runswick-Cole, 2007).

In response to conflict, the Government proposed a new approach to the identification and assessment of SEND with the introduction of EHCPs. The roll-out of the new plans was to be supported by increased integration of education, health and social care in the commissioning process. The changes in legislation were hailed by Government as ‘the biggest reform’ in the education of children labelled with SEND for 30 years (DfE & Timpson, 2014).

Prior to 2015, children’s educational needs were documented in a Statement of Special Educational Needs that constructed the child through the discourses of ‘difficulties’ and ‘needs’ and the ‘support’ required to meet them (DfE, 1994). A Statement could be attached to a child between the ages of three and 19 years. However, post-reform, an EHCP can be attached to a child or young person between the ages of 0 and 25 years, taking the plan from early childhood into adulthood. Crucially, as we have seen, the plan was also intended to be a joined-up document that would, for the first time, bring together education, health and care needs and support into one document. However, as Norwich and Eaton (2015, p. 119) point out:

> '[c]alling the new plans "EHC plans" could also be seen as misleading as they are basically educational plans where health and social care needs are included in so far as they relate to SEN. They are not, for example, about health provision unrelated to SEN.'

Following the implementation of the reforms (DfE & DoH, 2015), over 250,000 young people have an EHCP (Hunter et al., 2019). Crucially, support that is provided to children and young people with SEND is intended to enable them to 'achieve the best possible educational and other outcomes' (DfE & DoH, 2015). From 2014, this has included an explicit focus on preparing them effectively for adulthood, and specifically for independent living and employment.

Reduction in the number of plans

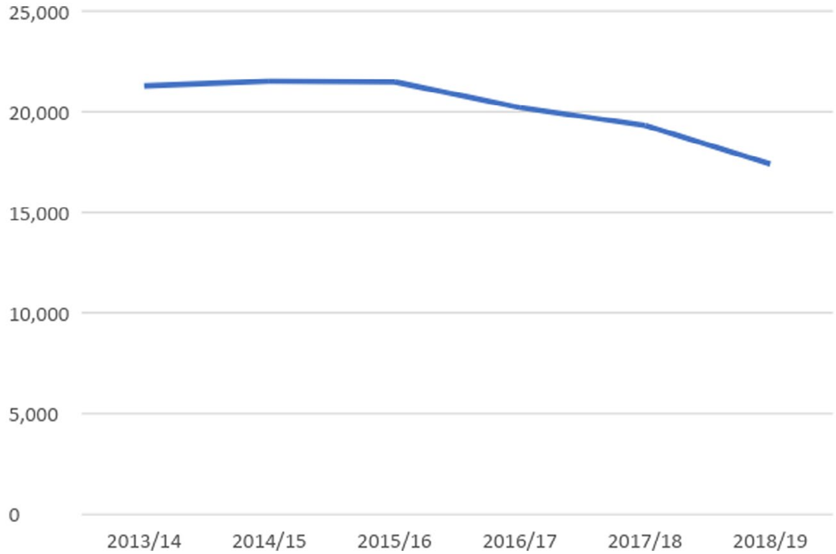
The continuing attachment to plans that document deviance has been accompanied by significant reductions in the funding available for education more generally, and for delivering plans in particular. In the current context of austerity, the capacity of the state to meet the demand to identify, document and remediate difference is compromised by the reduction of resources available in education. As a result, the state finds itself in the contradictory position of wanting to pathologise difference, at the same time as not wanting to provide the support required to remediate it. Since 2010, spending per pupil has fallen by 8% and is to be frozen until 2019/2020 (Hunter et al., 2019). As such, local authorities are facing a significant shortfall in education funding and especially for SEND provision. A 2017 survey by the Local Government Association projects a £536 million funding gap this year as a result of growing demand for SEND services – more than double the figure for the previous year (LGA, 2017).

The Government's yearly financial allocations to the High Needs Block, which is used to pay for support required through EHCPs, has not matched the increase in the number of plans (Hunter et al., 2019). Adjusted for inflation, the High Needs Block allocation has increased by 12% since 2013; however, at the same time the number of children and young people with EHCPs or Statements has increased by 35 per cent (Hunter et al., 2019). This means that the amount of funding available through the High Needs Block for each young person who needs it has declined by just under 20% in five years (see Figure 1).

The number of young people aged 16 to 25 years with an EHCP has increased dramatically in recent years, from 25,000 in 2015 to almost 85,000 in 2018 (Hunter et al., 2019). The statistics reveal the ways in which the demand to identify difference continues at pace.

A lack of funds has resulted in some local authorities trying to restrict access to EHCP support. This has again increased the conflict within the system, as parents/carers understandably seek a plan for their child in order to gain support. As a result, the number of hearings at the Special Educational Needs and Disability Tribunal, the panel that hears disputes about educational support allocated to children, has doubled in the past two years; the tribunal panel decision-making favours parents in 89 per cent of the cases (Hunter et al., 2019).

Figure 1: Decline in funding available through the Higher Needs Block



Note: Taken from Hunter et al. (2019).

Employment: a broken policy promise

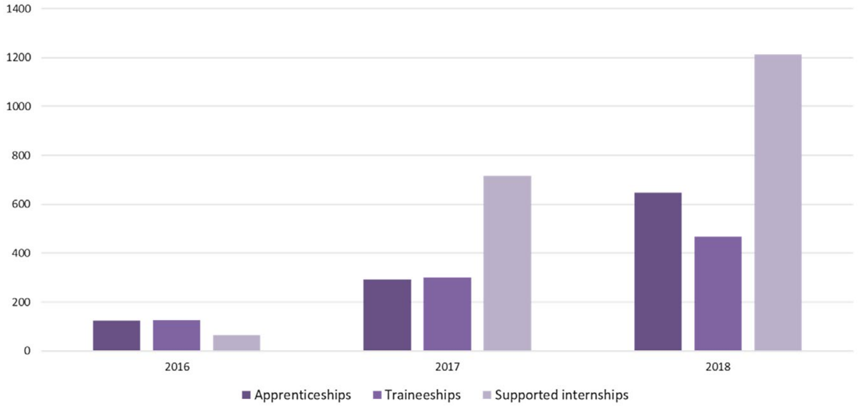
Despite a cluster of policy commitments over the last 20 years, the promise of employment has been elusive in the lives of many people with learning disabilities (Bates et al., 2017). While we want to resist the pervasive and deeply damaging view that a person's value can be determined through their ability to engage in paid work (Bates et al., 2017), we also recognise that work is associated with a range of positive benefits for people, including financial security, friendships and health benefits. In the wider neoliberal ableist context in which able bodies are valued as productive citizens (Goodley et al., 2014), and given the glacial progress in supporting people with learning disabilities into work, we welcome a requirement to ensure that the annual review of the EHCP from Year 9 onwards includes a focus on preparing for adult life, including employment (DfE & DoH, 2015).

Yet, despite this renewed focus, the statistics show that in 2018 just 6% of adults with learning disabilities known to social services were in paid employment (NHS Digital, 2018) in comparison with the wider population (81%) or for the general population of disabled people (50.7%) in England (Hunter et al., 2019). There is considerable local variation: in some local authorities employment rates are over three times higher than the English average (Hunter et al., 2019). While local labour market conditions explain some of this variation, this cannot fully explain regional variations (Hunter et al., 2019).

In November 2017, the Government set out its strategy for getting a million more people with disabilities into employment in the *Improving lives: the future of work, health and disability white paper* (DWP & DoH, 2017). This includes raising levels of employment among young people with SEND (Hunter et al., 2019). As Figure 2 shows, there has been a significant year-on-year increase in the numbers of young people with Statements or EHCPs that are undertaking apprenticeships, traineeships or supported internships. These types of programme have improved the likelihood of sustained employment among adults with learning disabilities (DfE, 2017).

However, the total proportion of young people undertaking this type of activity is still very small. In 2018, it comprised just 2.7% of people aged 16 to 25, with considerable variation between local authorities (Hunter et al., 2019). Moreover, there are significant issues with the Government's reforms that continue to undermine these small improvements.

Figure 2: Number of children and young people with Statements or EHCPs undertaking apprenticeships, traineeships and supported internships



Note: Taken from Hunter et al. (2019).

The failure of the reforms has been widely criticised. In October 2015, the Driver Youth Trust, a charity committed to improving outcomes for people with literacy difficulties, found that all stakeholders continue to have difficulty in navigating the system and that support is poorly co-ordinated, leaving children and young people without support. Crucially, despite the changes, as Norwich and Eaton (2015) have stated, plans remain primarily *education plans* with little reference to health and social care outcomes.

Being denied access to systems of support

While successive governments have agreed that disabled people can and should be supported to work, disabled people continued to be denied systemic support for access to employment. In 2010, the Work Choice programme was introduced to support disabled people into work; however, it is estimated that less than only 4.8% of those on the programme were people with learning disabilities (Beyer et al., 2012). When the Work and Health Programme replaced the Work Choice Programme in March 2018, it was not clear how the new programme might address the limitation of the previous system.

The Access to Work scheme also offers employment funding to support disabled people once they find a job. If a disabled person finds a job in the community, Access to Work allows funding of up to £57,200 per year for physical adaptations in workplaces, personal aids (for example, seats, reading machines), job coaches and the cost of transport. However, people with learning disabilities are a small minority (5.7%) of users of the scheme (Hunter et al., 2019). It is clear that systemic barriers to employment persist despite the Government's stated desire to encourage more people with SEND into paid work.

Liminal subjects

We have described the ways in which young people have been constructed through their plans as passive objects in need of remediation and cure. Logic would suggest that the removal of a plan might signal the success of the interventions: the young people no longer present a current or future threat to the future of the state. However, the removal of the plan seems to be triggered by a young person leaving formal education, and by the pressures on local authorities to reduce the number of plans in the context of reduced education budgets (Hunter et al., 2019). Young people are left outside the system of education, but are not securely in the world of employment. The withdrawal of the plan leaves young people in a liminal space – neither in formal education, nor in employment.

Conclusion

We conclude this article by seeking to make a useful contribution to the policy discussions about the employment of young people with learning disabilities. Before we do so, we want to reiterate two key points. The first is that engagement in employment should not be seen as a marker of a person's value, and that people make positive contributions to their communities in ways that cannot be monetised. The second is that an education plan is never value-free; it can never be a neutral description but has power to construct a child's identity, *for good and for ill*.

However, we have to acknowledge that for many people work is a key pathway to financial security, health and well-being. Furthermore, for many disabled children and young people, a plan is still the mechanism through which employment pathways are offered. The fact that only 6% of people with learning disabilities are in paid employment (NHS Digital, 2018) reveals the exclusion that many people with learning disabilities have experienced from paid work as a pathway to financial security and well-being. People with learning disabilities have been promised the opportunity to work over the last 20 years (Bates et al., 2017), and while that promise remains unfulfilled, the health inequalities experienced by people with learning disabilities have grown, so that adults with learning disabilities now die, on average, 13 to 20 years before their peers (NHS England, 2017). Any small steps towards moving disabled people, who want to work, into employment must be prioritised.

In our analysis, we have referred repeatedly to the pervasive impact of neo-liberal-ableist logic which privileges 'ability'. We believe that it is important to expose this logic and the role that it plays in producing people with learning disabilities as liminal subjects, neither fully excluded from the neoliberal demand to work, nor fully supported to do so. Yet, post-Brexit and with no end to austerity in sight, we want to set aside these critiques for a moment, in order to see if might be possible to re-appropriate neoliberal thinking in order to improve outcomes for people with learning disabilities. Recent policy shifts have been driven by an implicit belief that support for children and young people is a *cost* to the taxpayer, and that it represents a burden to the state (Hunter et al., 2019). In order to challenge this view, we need to demonstrate that support for disabled young people should be seen as a sound economic *investment.*

The National Audit Office report *Oversight of Special Education for Young People Aged 16–25* (NAS, 2011) estimates that:

- the cost to the public purse of supporting a person with a moderate learning disability through adult life (16–64) is *£2–3 million*;
- supporting one person with a learning disability into employment could, in addition to improving their independence and self-esteem, *reduce lifetime costs to the public purse by around £170,000 and increase the person's income by between 55 and 95%*;
- providing a young person with the relevant life and employability skills so that they can live in their community could *reduce lifetime support costs to the public by approximately £1 million.* (Hunter et al., 2019)

Therefore it makes sense to invest in employment for young disabled people to reduce costs. Removing the systemic barriers that act as disincentives for disabled people to work remains key. To that end, we propose a number of policy interventions (Hunter et al., 2019), echoing the neoliberal demand for pace and progress.

The first is to ensure that transition reviews for young people with EHCPs do focus on employment. As far as we are aware, there has been no in-depth empirical research into the extent to which employment is embedded within the transition review process. Transition guidance – both NDTI (2018) and Preparing for Adulthood (no date) – continues to stress the importance of focusing on employment, but the persistently low rates of employment for adults with learning disabilities suggest that the current system is not working. We do not know exactly what happens in transition reviews. However, it is possible to speculate that reviews are often, and understandably, taken up with more immediate concerns such as ensuring the plan is not brought to an end; finding post-16 placements; school transport issues; and transition arrangements towards adult health and social care services – with the unintended consequence that employment is pushed out of the discussion.

Our second recommendation is that every local authority should have a supported internship programme in place. We noted the success of the programme in moving young people from education to employment and yet, despite the publication of guidance by the Department for Education in 2014 (revised in 2017) (DfE, 2017), the number of young people accessing the programme varies considerably between local authorities. This seems to be a missed opportunity. In 2017, the Government set up a £9.7 million fund for local areas to create new supported internships. If they are serious about boosting employment among people with learning disabilities, then they should substantially increase the size of this fund. Local authorities should develop measures to encourage employers to offer supported internships and other appropriate opportunities, including through employer charters.

Third, we suggest that the Government should allow young people with learning disabilities to retain the support provided through EHCPs for the first year of employment. This recommendation reflects the concerns of young people and families that moving into employment presents a risk to them losing the support, which is often hard-won, provided in the EHCP. Given the status of the plan as a 'golden ticket', it is not surprising that families fear that if employment breaks down the young person will not be able to secure another plan and will, therefore, lose the provision set out in the plan. A continuation of the plan into the first year of employment minimises this risk for young people and families.

Fourth, there needs to be an investment in job coaching across the country so that young people are able to access this form of support in each local authority. Again this provision is patchy. In addition, we also suggest that each local authority commit to developing the role of job coaches in line with the British Association of Supported Employment's National Occupational Standards for Supported Employment, which set out the skills and knowledge needed by the supported employment workforce (BASE, 2017).

Fifth, although one in ten people in the working population are self-employed, there are very few people with learning disabilities who are self-employed (Foundation for People with Learning Disabilities, 2012). Self-employment and small and medium-sized enterprise options for young disabled people offer a potential pathway to employment for young disabled people that is currently underdeveloped (Bates et al., 2017).

Finally, while these policy changes might deliver cost savings for the neoliberal state, they might also improve the life chances of people with learning disabilities. However, if we are also to invest in achieving a socially just society, then it is time to consider how we can move away from a system underpinned by a deficit model of difference and disability so that no child is excluded from the category of 'pupil' and reduced to the category of 'special need' in education.

Acknowledgements
We would like to thank the Economic and Social Research Council for their support in funding 'Big Society? Disabled people with learning disabilities and civil society' (ESRC ES/K004883), and for their funding of 'Living Life to the Fullest: life, death, disability & the human' (ESRC ES/POO104/1).

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Article submitted: 7 June 2019
Accepted for publication: 14 November 2019