

Consultation

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Consultation on Performance Tables and Pupils with Special Educational Needs

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Consultation on Performance Tables and Pupils with Special Educational Needs

A Consultation

To All LEAs, a selection of primary, secondary and special schools and other bodies with an educational interest

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1 Executive Summary

1.1 This consultation paper seeks views on how the performance of pupils with special educational needs (SEN) can be fairly reflected in school performance tables.

In *Excellence and Enjoyment* and *Removing Barriers to Achievement: The Government's Strategy for SEN* we gave an undertaking to consult on a range of issues relating to performance tables and reporting on the progress of pupils with SEN. The specific areas on which we are seeking views are shown in paragraph 2.2i.

2 Background and Context

2.1 Introduction

i. Many headteachers have raised concerns with us about the place of pupils with SEN in performance tables. Some have argued that value added measures should reflect the achievements of all their pupils; others worry that leaving some pupils out of the national testing and monitoring arrangements may lead to low expectations or underperformance; and others are concerned that low attaining pupils will bring down their percentage scores against threshold performance indicators compared to less inclusive neighbouring schools.

ii. In Excellence and Enjoyment and Removing Barriers to Achievement: The Government's Strategy for SEN we undertook to look at these concerns in more detail and consult on proposals. Our aim has been to identify solutions that will help schools to become more inclusive and raise standards, or at least do nothing to prevent this happening.

2.2 What we are consulting on

i. This consultation paper seeks your views on:

- ? how to better reflect the progress of pupils working below National Curriculum test levels and in value added measures;
- ? whether we should make better use of teacher assessment data for pupils working below the level of the national tests;
- ? whether reporting of performance against the P scales should be made compulsory;
- ? whether to omit pupils who achieve well below the usual attainment distribution for their key stage from threshold indicators; and
- ? proposals for including information about the school's record on inclusion and SEN in the contextual section of the performance tables.

ii. We are specifically not consulting on two issues. Firstly, the Secretary of State has made it clear that there will continue to be reporting on school performance at Key Stages 2, 3 and 4. He sees that as an invaluable part of the process of holding schools and LEAs to account for their performance and for raising standards. Secondly, he has also made it clear that threshold indicators (e.g. the percentage of pupils achieving level 4 or above at Key Stage 2 and the percentage of pupils achieving level 5 or above at Key Stage 3) will continue to be published alongside value added indicators. This is important because, although value added undoubtedly presents a fairer indication of school effectiveness, the two together give an even more rounded picture of school performance.

iii. The consultation mainly focuses on issues relating to the assessment and reporting of pupils' attainment at Key Stages 2 and 3. Some of the issues in this consultation may apply to pupils in Key Stage 1 even though performance tables on that age group are not published. It does not cover pupils at Key Stage 4 because of likely changes arising from the Tomlinson Review.

2.3 Recent developments

i. Every year we take the opportunity to review the school accountability framework and update and strengthen it in light of new developments. We believe that the issues raised by headteachers have already partly been addressed through the following recent changes:

- ? value added measures were published for the first time for Key Stage 2 to 3 and Key Stage 3 to GCSE in 2002, and for Key Stage 1 to 2 in 2003;
- ? Key Stage 3 results were published in the performance tables for the first time in 2002, to ensure that sufficient focus is given to raising standards for this age group;
- ? for the first time in 2003, the contextual information accompanying performance tables included separate numbers and percentages for pupils with a statement of SEN and with SEN but without a statement (i.e. those on School Action and School Action Plus);
- ? from 2005 we plan to collect data from schools on pupil performance within the P scales as part of the national data collection exercise.

ii. On 8 January 2004, David Miliband, the Minister for School Standards, announced a new relationship between the Department for Education and Skills and schools and local authorities which focuses on personalised learning and an intelligent accountability framework. The three main elements of the new accountability framework are shorter, sharper Ofsted inspections, an emphasis on school self-evaluation and the development of a school Profile. The details of these new developments are currently the subject of wide consultation. Responses to this consultation paper will also be taken into account in decisions about how the new accountability framework should develop.

3 The Proposals

3.1 A greater focus on value added

Value added measures show how much progress pupils have made from one key stage to the next. We have encouraged schools, parents and the media to regard these value-added scores as the key indicator when making comparisons of pupil performance between schools.

3.2 How value added works

i. The value added measure for each school is based on the value added scores of individual pupils. A pupil's value added score is based on comparing their outcome performance in National Curriculum tests with the median - or middle - performance of other pupils with the same or similar prior attainment at the end of the previous key stage. The individual pupil scores are averaged to give a score for the school which is then represented as a number centred around 100.

ii. The introduction of value added measures has been a major step forward in the development of a fair and reliable accountability framework, but a major flaw is that the progress being made by pupils working below the level of the national tests is not being accurately reflected. We believe that practical ways should be found to allow value added measures to take account of the progress made by all pupils.

3.3 Calculating value added for pupils working towards National Curriculum Level 1

i. It is estimated that around 1,000 pupils in maintained mainstream schools at Key Stage 2 (i.e. around 0.2% of the cohort) and around 500 pupils at Key Stage 3 (i.e. around 0.1% of the cohort) are working towards Level 1 of the National Curriculum.

ii. P scales describe the achievements of pupils working at 8 levels (known as the P levels) below National Curriculum Level 1. They were developed originally to help schools assess their pupils and set targets, but increasingly schools have been using them (or the related commercial schemes) to report on progress. P scales would be the obvious basis on which to recognise the progress of pupils working towards National Curriculum Level 1 in value added measures, although this would not be straightforward. The following practicalities would need to be resolved:

- ? We would need to devise a system that ensured schools get at least as much credit for pupils making progress in P scales as they get for other pupils working towards National Curriculum levels. This would need to take account of the lower rates of progress made by pupils working at the very lowest P scales who may struggle to move up even one P level during a whole key stage. One method might be to take account of pupils' lateral progress – in other words, an assessment of the additional skills they acquire within the same level as well as progress from one level to another. We would expect to involve schools and LEAs in helping us to develop and trial a fair performance measure.
- ? Use of the P scales is currently very patchy, especially in mainstream schools. This should improve from 2005 when P scales data will be included in the national data collection exercise. But at some point it is likely that we will need to make a choice between leaving P scales optional or making it compulsory for schools to report on them.
- ? The collection of P scales data is not an exact science. Schools that have had little experience of using the P scales so far, especially mainstream schools with only one or two pupils on the P scales, will need guidance on how to make reliable assessments based on routine observation and set tasks. It will be necessary to put in place an appropriate system for moderating and quality-assuring P scales data to ensure that they can be used reliably in value added scores.

iii. The following action is planned or underway to make it easier for schools to use the P scales:

- ? The Qualifications and Curriculum Authority (QCA) are reviewing some of the detail in the P scales. Separate descriptions for speaking and listening are being devised for English at P4-P8. QCA have also reviewed individual P levels in the core subjects to ensure consistency and progression. No significant changes are planned, but there may be a few minor adjustments to address issues that have emerged during the review. We will provide updates on this work on the Department's SEN website www.teachernet.gov.uk/sen
- ? More will be done to promote effective collection and use of P scales data through curricular guidance on planning, teaching and assessing the curriculum for pupils with learning difficulties. This will be available through the QCA website and other media.
- ? Some of the SEN Regional Partnerships have already published guidance and materials to support moderation. QCA plan to build on this work by assembling a national collection of guidance and exemplars. The end result will be a comprehensive collection of easily accessible reference materials for teachers and SENCOs to use in assessing pupils against the P scales. These will be available

later this year.

- ? LEAs have already begun to provide support to mainstream schools in moderating P scale judgements through, for example, enabling clusters of schools to draw on the expertise that has been developed in special schools. As highlighted in *Raising Barriers to Achievement: The Government's Strategy for SEN*, we will encourage more collaboration of this kind between schools.

iv. It would be several years before performance against the P scales could be reflected in value added measures. Most schools will not be in a position to make reliable assessments of performance using P scales until 2005 at the very earliest and outcomes at the next key stage would not be known for another three or four years. So the earliest that point scores for pupils working within P scales could be introduced into value added measures would be 2008. In the meantime, however, schools will still find value in collecting and analysing P scales data to support the target-setting process.

Your views

Q1. Do you agree that value added measures should be strengthened to better reflect the progress made by pupils working below National Curriculum levels?

Q2. Do you agree that P scales data should be used for this purpose?

Q3. If you have answered 'yes' to Q1 but 'no' to Q2, what alternative method should be used? Please specify and explain why.

Q4. Do you agree that it should be compulsory for all schools to provide P scales data on pupils working below National Curriculum levels?

3.4 A wider record of achievement

i. So far the focus of this paper has been on measuring progress in the formal curriculum. But it is just as important for pupils with SEN to develop wider personal skills that will enable them to lead independent, fulfilling and productive lives. With QCA, we are planning to review and refine the P scales for Personal, Social and Health Education, which cover:

- ? working with others;
- ? organisation and study skills;
- ? personal care and independence skills; and
- ? social, emotional and behavioural skills.

ii. These skills are particularly relevant to pupils working below National Curriculum levels. So we think there may be a case for including them in value added scores for these pupils, along with other P scales data in the core subjects. This would be another way of reflecting pupils' lateral progression within an individual P level.

Your views

Q5. Do you agree that value added scores for pupils working below National Curriculum levels should take account of their progress against P scales for PSHE and/or personal development?

3.5 Calculating value added for pupils working above the P scales but below the level of the National Curriculum tests

i. Where pupils are working at Level 1 or above of the National Curriculum but below the level of the national tests, their progress is currently not being accurately reflected in value added measures. This mostly applies to pupils working at Level 1 or Level 2, although there are some differences between subjects.

ii. We think it is right that we should find a reliable method of measuring their progress. The obvious way to do this would be to use a teacher assessment based on a mixture of routine tests and tasks and moderated by the LEA. Most children already carry out assessment activities as part of their normal classroom activities, and optional tasks for pupils working below the level of the tests are available on the QCA website www.qca.org.uk. In *Excellence and Enjoyment* we announced our decision to trial, in 2004, this approach for pupils at Key Stage 1. Subject to your views, we would draw on the results of this trial and other evidence in deciding the way forward for Key Stages 2 and 3.

Your views

Q6. Do you agree that teacher assessments for pupils working below the levels of the National Curriculum tests should be reflected in value added scores?

3.6 Whether to omit pupils from threshold indicators published in performance tables

i. Threshold performance indicators show the percentage of a school's pupils who achieve a particular level at the end of the relevant key stage (e.g. the percentage of pupils achieving level 4 or above at Key Stage 2 or the percentage of pupils achieving level 5 or above at Key Stage 3). They have played a key role in driving up standards and monitoring progress towards national targets and are an important reference point for parents when comparing their school's performance with other schools. However, some headteachers have argued that their schools are being penalised in the threshold performance indicators because they have a higher proportion of pupils with SEN.

ii. We appreciate the underlying concern - that comparatively low percentage scores can affect the demand for places and subsequently a school's budget. But we do not accept that omitting pupils with SEN from the threshold indicators would be the right way to address this. We believe that omitting pupils on the basis of their needs rather than their performance is wrong in principle and would have a number of damaging practical implications.

iii. Firstly, many pupils with SEN achieve average, or above average, test results and there are many examples of highly inclusive schools that also achieve very good threshold scores. To omit all pupils with SEN from the performance tables would send a very negative signal in response to their successes. Secondly, pupils with SEN account for a large proportion of the pupils in some schools and if these pupils were omitted their overall results would become virtually meaningless. Thirdly, the percentage of pupils identified as having SEN ranges from 10% to 30% between different local authorities; and the percentage of pupils with statements of SEN varies by a factor of almost five to one. Any attempt to omit pupils from the threshold indicators according to their SEN status would therefore penalise schools and local authorities that have reduced their reliance on statements of SEN and that have tried to avoid categorising pupils according to their SEN. This would undermine the approach we recommended recently in *Removing Barriers to Achievement*

for building local capacity to support early identification and intervention and a greater emphasis on personalised learning for all pupils. Fourthly, there would be perverse incentives for schools and local authorities to increase the number of pupils identified as having SEN and this in turn would lead to more paperwork and greater pressure on resources.

iv. In *Excellence and Enjoyment* we raised the possibility of omitting pupils who are identified as having severe or profound and multiple learning difficulties. Even setting aside the basic human rights issues this would raise, there would be little benefit in going down this route. Most of these pupils are based in special schools or units, so omitting this group of pupils would do little to address the concerns of mainstream schools.

v. We also looked at the possibility of omitting pupils who are based in units, but have identified a number of problems with this option. It would be unfair to highly inclusive schools that do not happen to be organised in that way and unfair to high achieving pupils who are based in units. There are likely to be disputes over the definition of a unit. There would be an incentive to set up discrete units rather than integrated support.

vi. There is, however, one option that could be more easily defended in principle and that would be relatively easy to implement in practice. Under this option, pupils whose level of attainment was well below the usual distribution range for the key stage would be left out of the calculation. This would involve those working towards Level 1 at Key Stage 2 and those working below Level 2 at Key Stage 3. The big advantage of this approach is that it would avoid discriminating between pupils on any basis other than their performance. Most of these pupils would have SEN, but the group may also include, for example, children of refugees, travellers or others whose personal circumstances have prevented them from making adequate progress. The numbers would be relatively small – probably around 1,000 to 2,000 for each key stage in mainstream schools.

vii. In considering the merits of this option, it is important to keep in mind the wider context. Value added measures are increasingly recognised as the main measure of school performance and in the next year or so they will be strengthened by the introduction of a school Profile that will allow schools to present the full range of their achievements to parents and the public. As these new arrangements continue to develop, performance against threshold indicators will become a less significant part of the school accountability framework and the need for considering whether any pupils should be omitted from them could well disappear.

Your views

Q7. Please tick only one of the following boxes. If you think that pupils who are performing well below the usual attainment range for their key stage should be omitted from threshold indicators, tick box A. If you think that this is unnecessary because of the development of value added measures and school Profiles, tick Box B.

3.7 Putting school performance in context

In *Excellence and Enjoyment* and more recently in the announcement on 8 January, we emphasised the importance we attach to offering clearer information to parents about the rounded achievements of schools. We propose to include two additional items of contextual information to be published in the performance tables and/or school Profiles.

3.8 A measure of inclusion

We are attracted to the idea of including a measure of inclusion in the performance tables and school Profiles. This would give inclusive schools the recognition they deserve and would show how well they are supporting their pupils with SEN and other pupils who need additional help with their education. The introduction of more frequent school inspections, backed up by school self-evaluation, will ensure that the information used is no more than a year old. We would need to develop a standard way of presenting the information to ensure that simple and reliable comparisons could be made.

3.9 Local and national data on SEN

This year we have separately identified in the performance tables, the number and percentage of pupils with statements of SEN and the number and percentage of pupils with SEN but without statements. However, we are aware that this information may not mean much on its own to parents; nor does it reflect the wide variation between different localities in the assessment and statementing of pupils with SEN. We therefore propose that from 2004 we should publish this information alongside the corresponding local authority average and the national average for pupils in the same year group.

Your views

Q8. Do you agree that a standard judgement of a school's effectiveness on inclusion should be published in performance tables?

Q9. Do you agree that the statistics for the school on the number and percentage of its pupils with SEN and statements should have local authority and national averages published alongside?

Responses to this consultation paper will be taken into account in the work currently being undertaken to develop and consult on school Profiles.

4 How To Respond

4.1 Responses to this consultation document can be completed on a web version, or sent by e-mail, fax or post to the following addresses:

Interactive website: <http://www.dfes.gov.uk/consultations/>

E-mail: performancetables.sen@dfes.gsi.gov.uk

Fax: 020 7925 5179

Post: Malcolm Harris, Area 2AL, Department for Education and Skills, Sanctuary Buildings, Great Smith Street, Westminster, London, SW1P 3BT

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5 Additional Copies

5.1 Everyone is welcome to obtain further copies of this publication and make any comments.

An electronic version is available to download at www.dfes.gov.uk/consultations/

Printed copies can be obtained from:

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6 Plans for making results public

6.1 Decisions taken in the light of consultation will be made public through a report published on the DfES website in the summer.