

Information Collection and Dissemination Practices for  
Learners with Specific Learning Differences across the Education  
Sector

Final Report  
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## Executive Summary

This research study has explored data collection and dissemination practices for learners with Specific Learning Differences (SpLD) across the education sectors. It is known that learners with SpLD are not progressing to higher education but the extent of the problem is difficult to assess since the procedures for collecting and disseminating data are disparate across the education sectors. A key objective of this research was to identify the issues surrounding the collection and dissemination of data about these learners in order to better understand how we may evaluate the progression of learners into higher education. The work has been conducted by the Higher Education Academy on behalf of the AchieveAbility project. It is anticipated that this report will be pertinent to policy-makers and practitioners across the education sectors.

The research was conducted in two phases to address both depth and breadth of evidence. The first phase involved semi-structured interviews with a range of staff from each of the education sectors, funding bodies, disability and national organisations. These in-depth interviews were analysed and emerging findings were put out to consultation in phase two, through an online survey and discussion forum. This sought to increase the number of participants in the research, to broaden an understanding and help to ensure that the findings were as representative of current practices as possible.

The research exposed varying data collection and dissemination practices for learners with SpLD both between and within the education sectors (schools, FE and HE). It also revealed a lack of coherence both within and between the sectors in relation to a number of issues such as the categorisation of learners with SpLD. Three key areas emerged through the research pertaining to data about learners with SpLD – data collection, data use and data dissemination. These findings are summarised in the sections that follow:

### **Data Collection**

#### *Data collection practices*

Data collection practices for learners with SpLD are dominated by the mandatory requirements of funding and regulatory bodies and the assessments associated with learners' educational differences. Whilst the collection of additional information (from mandatory and assessment data) was collected, this practice was sporadic across each of the education sectors.

#### *Purpose of data collection*

There are varying purposes for which data is collected within institutions, including fulfilling mandatory duties, supporting assessment of learner's needs, strategic purposes and operational purposes. Whilst the key driver of information collection was funding and the information collected by institutions centres on mandatory and assessment requirements. This data was being used to support strategic decision-making; it was rare for additional data to be collected.

#### *Variations of practice*

Variations in data collection practices occur between sectors, with regard to different mandatory procedures; categorisation terms and assessment practices, leading to different types of information being collected about learners. These variations have

implications for the potential use and transference of data from one sector to another, as learners move within the education system.

Variations in data collection practices occur between institutions, with regard to the screening of learners; the way support needs are identified; the type of data collected, and the recording and treatment of data. As a result, learners with SpLD will have different experiences during both compulsory and post-compulsory education depending upon which institution they attend.

#### *Standardisation of the system*

The variations between sectors and institutions point to a lack of standardisation across the education system in terms of data collection with implications for tracking learners' success and progression. There were concerns that this lack of standardisation may create barriers for learners as well as hinder data use (for comparison and strategic purposes). However, there was some discrepancy amongst research participants as to whether standardisation would bring about improvements in the current system. There are efforts to standardise practice, although it was more common for these to be operating at a local or regional scale rather than national.

#### *Self-disclosure*

One of the key factors affecting data collection is learners' self-disclosure. Many parts of the sectors are heavily reliant upon learners disclosing their learning differences in order to instigate data collection, largely as a result of learners being assigned data protection rights. Self-disclosure depends upon learners being willing to disclose; being aware of their own differences, understanding the importance of disclosure; being diagnosed and choosing to do so. There is much done to encourage self-disclosure by institutions and organisations both pre and post-entry. Nevertheless, levels of disclosure do vary from institution to institution.

#### *Focus of data collection*

Data collection was found to be less focused on learner success and progression than it was on learner's admission and assessment. Nevertheless, such data was welcomed because of the focus on learners' achievements rather than their difficulties.

### **Data use**

#### *Users of data*

The data that is collected is put to use by funding providers, institutions, service users and other organisations. *Funding providers* varied in how data was used, with only some reporting using the data to monitor the progress of learners with SpLD, set performance indicators and targets for equality and diversity, or to inform intervention and staff development. A key use of the data collected about learners with SpLD was to calculate funding and support provision. Institutions from all sectors welcomed feedback from providers to help them assess their performance against regional and national trends. *Institutions* varied in the extent to which they used data to support their strategic objectives rather than to obtain funding for learners with SpLD. Where the strategic use of the data was reported, it was seen to have the potential to inform objective setting, support monitoring, enhance quality, improve effectiveness and aid planning. Individual institutions were found to vary in the extent to which they used the data to monitor the success and progression of learners with SpLD. *Prospective learners* and their parents were users of the data; helping to inform their choice of institution. *Other bodies* such as the Universities and College Admission Service use data to inform institutions about the

profile of those applying and accepted on courses at a higher education level. The data on those with disabilities is affected by the numbers willing to disclose their disability on application to HE.

#### *Tracking learners*

Variations between sectors and institutions make it difficult to track and monitor learners through the education system and make cross-sector comparisons. Where there are efforts to support tracking, they operate within education sectors, rather than across sectors; hence cross-sector tracking remains problematic.

#### *Lack of external focus*

Data use is affected by the nature and scope of data that is collected. There are gaps generated by the focus of data collection being centred within sectors (and/or institution) rather than across sectors. As a consequence, it is difficult to effectively evaluate the progression of learners with SpLD into HE. Practitioners considered the research agenda to be less important than the use of data in supporting learners.

### **Data dissemination**

#### *Practices for Sharing and Disseminating Data*

The dissemination of data depended on both internal and external communication although more mechanisms for communicating information were reported internally than with external agencies. A variety of mechanisms are used to disseminate information about learners internally including informal methods (e.g. email, phone, memos) and formal methods (e.g. liaison meetings, publications, open access records). Externally, information sharing occurs through membership of disability and professional organisations, web-based discussion forums, conferences, regional/national forums and partnerships. Dissemination was suggested to depend upon the commitment of individuals, the size of the institution and issues of data protection.

#### *Variations in Data Dissemination Practices*

Data dissemination practices largely varied at an institutional level, with key differences in how learners are referred and the provision of staff development opportunities. There are formal referral procedures in some institutions (and/or departments) to support the identification of learners with SpLD but these are not widespread. The extent to which staff development opportunities exist or are taken up by staff was found to vary at an institutional level. There was also variation in dissemination practices between sectors in terms of how data is treated. Data protection legislation affects the dissemination of data, particularly in post-compulsory education when learners are deemed to have sufficient understanding to make their own decisions about information collected about them.

#### *Dissemination at Transition*

There are few standardised procedures in place to support the transfer of information about learners on their transition between education sectors (and/or institutions). As a result the dissemination of data depends upon locally agreed arrangements rather than national or regional strategies. Practice was reported to be varied. It was more common for procedures to be in place for learners with a statement of learning difficulty. The lack of formalised procedures means that data collection has to be repeated, data can be lost, there is a reliance on learner consent and support arrangements can be affected. Barriers to data dissemination were acknowledged to be staff awareness of other

education sectors, reliance on staff commitment, learner choice, data protection and a lack of resources.

#### *Staff awareness and development*

Staff awareness and development was found to be a key issue affecting the dissemination of data. It was recognised to have the potential to benefit learners through recognition of the characteristics of SpLD and helping to ensure that learners have access to appropriate support. Institutions were found to vary in terms of the regularity of the training provided, which staff courses are targeted at; the content of training courses and the requirement on staff for attendance. Staff development depends upon staff becoming engaged, resources being provided, senior management commitment and the extent to which such training is prioritised amongst other pressures.

#### *Data protection protocols*

Data protection legislation emerged as a key theme affecting how information about learners is obtained, held and disseminated. The Act aims to ensure that data is collected lawfully and fairly, is used for specific and relevant purposes, is accurate, secure, kept for no longer than is necessary and is processed in such a way as to protect the confidentiality rights of individuals (IOC, 2006). Data protection affects the tracking of learners with SpLD across educational stages as well as the sharing of data where it potentially could be. The Act prompts a mixed reaction with support for the protection of learners' rights to confidentiality and learner choice, alongside concerns about ensuring the continuity of support and the need for clarity about terms such as confidential. Institutions report dealing with the Act by seeking learner consent; raising learner awareness of passing information on; and by limiting the number of people with whom data is shared.

### **Conclusions**

This research study has explored the collection, use and dissemination of data about learners with SpLD across the education sectors. This report highlights the extent to which procedures for collecting, using and disseminating data are disparate across the education sectors and thus research into the progression of learners with SpLD into HE is potentially fraught with problems.

The purpose for which information is recorded about learners with SpLD is not focused on their progression through the education system, making an evaluation of learners into higher education problematical, particularly at a national scale. Efforts to standardise data collection and dissemination practices are at a local and regional scale. Where partnerships exist between sectors, institutions and with learners to support the collection and flow of information, this offers the potential to generate a better understanding of the achievements and progression of learners with SpLD.

### **Recommendations**

#### *National organisations and policy-makers*

- Consider developing protocols and processes at a national and/or regional level to support data collection and dissemination.
- Consider readdressing the balance of data collection to raise the prominence of success and progression information about learners with SpLD alongside their admissions and assessment data.

### *Institutions*

- Be proactive in obtaining the consent, and access to information, from learners (preferably pre-entry to smooth the transition and ensure continuity of support).
- Reflect a supportive environment in publicity material for learners to encourage them to self-disclose their difficulties.
- Make the most of opportunities to share data collection practices with colleagues both within and across education sectors.
- Become familiar with the data collection practices in other education sectors and/or feeder institutions.
- Raise staff awareness through staff development about specific learning differences to help ensure that learners are identified and have access to support.
- Work in partnership with other sectors, institutions and learners to support data collection and dissemination practices.

### *Learners with SpLD*

- Be proactive – try to become aware of how different systems work in different education sectors. Provide your new institution with information about your learning differences or give your consent for data to be accessed (preferably before you transfer) if you require procedures to be instigated to ensure support is in place when you arrive.
- If you are unsure about disclosing your learning differences, try to seek an explanation as to why you are being asked for this information. Self-disclosure may be beneficial for you during your studies - enabling you to gain access to the support and resources you are entitled to.

## 1. Acknowledgements

The research has been conducted by a team of researchers at the Higher Education Academy, led by Dr Helen May, Adviser for widening participation and qualitative research. The research would like to acknowledge both Helen Harrop and Helen Harper who were involved in conducting the empirical research, writing the interim reports and conducting the analysis of the data and who have subsequently left the project, and Danielle Richardson who joined the team in the final stages of analysis and report writing. The project would also like to thank other staff at the Higher Education Academy including Dr Liz Thomas, Senior Adviser for widening participation, for her advice and guidance throughout the research and Gosia Kulej, survey co-ordinator, for co-ordinating the online consultation survey.

This report would not have been possible without the input and support of those who were interviewed as part of the research and those who responded to the consultation survey. This report is based on an analysis of the emerging issues and insights into data collection and dissemination practices raised by participants from across the education sectors. It seeks to highlight the words of those who contributed to the research and the examples of practice they reported. The research would also like to acknowledge the input of those who attended the research workshop at the London AchieveAbility Discussion forum in March 2006. Their comments on the findings and issues contained in this report were taken on board in writing this report.

The Higher Education Academy would like to acknowledge the AchieveAbility team, and in particular Katherine Hewlett (project manager), Velvet Kearley-Heywood (project administrator) and Michelle Gammo-Felton (project co-ordinator) for their ongoing support during the research. It would also like to thank the members of the project management group for supporting the project and for their valuable comments on the interview schedules, consultation survey and interim reports.

## 2. List of Acronyms

The following acronyms have been used in the report:

ADO - Adult Dyslexia Organisation  
ADSHE - Association of Dyslexia Specialists in Higher Education  
BDA – British Dyslexia Association  
CAT - Cognitive Ability Test  
CPD – Continuing Professional Development  
DDIG – Dyscalculia and Dyslexia Interest Group  
DfES – Department for Education and Skills  
DRC – Disabilities Rights Commission  
DSA – Disabled Student Allowance  
EDIM – Equality and Diversity Impact Measures  
FE – Further Education  
FEC – Further Education College  
HE - Higher Education  
HEI – Higher Education Institution  
HEFCE – Higher Education Funding Council for England  
HESA – Higher Education Statistics Agency  
IEP – Individual Education Plan  
ILR – Individual Learner Record  
LA – Local Authority  
LADS - Lucid Adult Dyslexia Screening  
LEA – Local Education Authority  
LLUK – Lifelong Learning UK  
LSC – Learning and Skills Council  
MIAP – Management Information Across Partners  
MIS – Management Information Services  
NADO - National Association of Disability Officers  
NDT – National Disability Team  
NPD – National Pupil Database  
NTU – National Teachers Union  
Ofsted – Office for Standards in Education  
PATOSS - Professional Association of Teachers of Students with Specific Learning Difficulties  
PANDAS – Performance and Assessment Reports  
PDP - Personal Development Planning  
PLASC - Pupil Level Annual School Census  
PPD – Personal and Professional Development  
SEN – Specific Educational Needs  
SENCO - Special Education Needs Co-ordinators  
SENDNA – Special Educational Needs and Disability Act (2001)  
SFE – Scottish Financial Enterprise  
Skill – National Bureau for Students with Disabilities  
SPIn – Strategic Planning and Information Service  
SpLD – Specific Learning Differences  
UCAS – Universities and Colleges Admission Services

### 3. Introduction

This research study has explored data collection and dissemination practices for learners with specific learning differences (SpLD) across the education sectors. It is known that learners with SpLD are not progressing to higher education but the extent of the problem is difficult to assess since the procedures for collecting and disseminating data are disparate across the education sectors. A key objective of this research was to identify the issues surrounding the collection and dissemination of data about these learners in order to better understand how we may evaluate the progression of learners into higher education. The work has been conducted by the Higher Education Academy on behalf of the AchieveAbility project. It is anticipated that this report will be pertinent to policy-makers and practitioners across the education sectors.

The AchieveAbility project is a, HEFCE funded, national Aimhigher activity seeking to raise awareness of the learning requirements of learners with SpLD. It also aims to highlight the opportunities in higher education for these learners, in order to support their progression through education to successful employment. This research study has been conducted as part of strand three of the project, focused on teaching and learning.

## 4. Research approach

The focus of the research undertaken by the Higher Education Academy was on the information collected and disseminated about learners with Specific Learning Differences (SpLD) within the education sectors. The research was conducted in two key phases:

**Phase one:** The first phase of the research was undertaken using in-depth semi-structured telephone interviews and, (in a small minority of cases), e-mailed questionnaires. A total of 23 interviews (or questionnaires) were completed. The organisations and institutions across each education sector represented by the interview participants, included:

- Local Education Authorities (LEAs)
- Special Educational Needs Co-ordinators (SENCOs)
- Further education college (FEC) Disability Officers
- Learning and Skills Councils (LSCs)
- Higher education institution (HEI) Disability Officers/learner support
- HE and FE advisers
- National disability organisations
- Identified key informants (including Aimhigher).

The data collected from those interviews were supplemented with background information collated from an examination of related web sources, including the Universities and Colleges Admissions Service (UCAS) and Higher Education Statistics Agency (HESA) websites.

Phase one brought to light different types of information collected and disseminated about learners with SpLD, as well as differing practices and procedures, both within and between sectors. More significantly, it raised a number of key issues affecting the collection and dissemination of information; issues that serve to either facilitate or inhibit the flow of information about these learners.

**Phase two:** The second phase of the research involved an online survey consultation on the issues and findings emerging from phase one of the research. The survey aimed to collate responses from the education sectors about:

- The validity and representative nature of the findings collected in phase one;
- The ways in which issues are being addressed both within, and across, sectors.

There were 86 responses to the consultation with over half (56 per cent) from the HE sector, 18.8 per cent from the school sector, 5.9 per cent from the FE sector and 1.2 per cent from the adult and community education sector. Predominantly respondents were based in England, with 27 per cent from London; 11.8 per cent from the South West and West Midlands and 10.6 per cent from the South East region. There was one respondent from Wales and one from Northern Ireland. The consultation phase highlighted the diversity of information collection and dissemination practices as well as provided examples of the ways in which the issues are being managed within and between institutions, sectors and regional areas.

In addition to the consultation responses, the findings were tabled for comment at a discussion forum held in London in March 2006, as part of the dissemination activities of the AchieveAbility Project. The comments of those who attended the workshop on the research have been taken into account in writing this report.

## 5. Findings

The research exposed varying data collection and dissemination practices for learners with SpLD both between and within the education sectors (schools, FE and HE). It also revealed a lack of coherence both within and between the sectors in relation to a number of issues such as the categorisation of learners with SpLD. These issues were offered for consultation across the sector to gain a better understanding and to consider how these issues are being addressed in the sector. This section outlines the findings of the research. It is structured to reflect the three areas pertaining to data about learners with SpLD, which have emerged through the research. These include:

1. *Data collection*: covering - the practice of data collection; the purpose for which information is collected; variations of practice within and across the education sectors; and emergent issues affecting data collection;
2. *Data use*: covering users of data and emerging issues affecting data use;
3. *Data dissemination*: covering practices for sharing and disseminating data; variations in dissemination practice; dissemination at transition and emergent issues affecting data dissemination.

These areas are detailed in the sections that follow:

### **5.1 Data Collection**

#### **5.1.1 Data Collection Practices**

Data collection practices are largely pertinent to each of the education sectors and thus detailed separately in the paragraphs that follow:

##### *Schools*

The Special Educational Needs Co-ordinator (SENCO) takes responsibility for the collection of information about learners with SpLD within the school sector. They collate information from a range of sources including learners, designated class-teacher(s), the head-teacher, parents and health professionals (e.g. educational psychologists). The information collected includes interim reports; reading/spelling ages; test scores (e.g. cognitive Ability Tests scores; reading test results); and diagnostic assessment material.

##### *FE*

The Disability Officers/Learning Support Team<sup>1</sup> are responsible for collecting information regarding learners with SpLD. They collate information from a range of sources such as school files (including statements from LEA/school); screening, diagnostic assessment material and Educational Psychologist reports.

The type of information collected by the Learning and Skills Council (LSC) and the type of information collected locally by colleges varies according to what it is going to be used for. The LSC needs to know what the disability is so that it can ensure that provision is

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<sup>1</sup> This title may vary between colleges

there for each individual, however it does not need to know an individual's history and hence does not require detailed information at an individual level.

Information in FE is collected at different stages including at application, interview, during induction, at the point of assessment and at various points throughout the academic year.

### *HE*

There can be a range of organisations/bodies seeking the collection of information at HE level, including HESA; the Higher Education Funding Council; UCAS; and disability organisations (e.g. Skill). Furthermore, a range of university staff and departments collect information on learners with disability including Disability Services, Learning Support Teams; Faculty admissions team and Faculty Disability Co-ordinators; Strategic Planning and Information Service (SPInS); Registry; Departments; Academic staff; and the exam office.

Information is collected at various stages of a learners' transition through higher education. A key stage for the collection of information is on application to the university. The majority of this information is collected by UCAS and passed on to the university. Upon take up of a place at university, information is collected pre-entry (e.g. accommodation applications); during induction and enrolment and at ongoing moments throughout the course. A learner may be referred (or choose to visit) the Disability Unit, from which point they are entered onto the Disability Unit/Services Database.

A variety of information is collected about learners at HE level. As a result of the Disability Discrimination Act and SENDA legislation, institutions are required to hold information about learners with disabilities. Information collected may include background information (name, address, subject, degree type); type of disability; detail about the diagnostic assessment; associated reports (e.g. educational psychologist); self-assessment checklists; detail regarding funding assessment (e.g. Disabled Students Allowance; 'access to learning' fund); issues, interventions and responses; learner support plan (including exam arrangements); support provision (e.g. 1:1 tuition, exam support); attendance; consent orders; evidence of need for assessment; or service demand.

### **5.1.2 Purpose of Data Collection**

There are four key purposes for which data is collected about learners with SpLD, as detailed below:

- *To fulfil mandatory duties:*

There is a mandatory requirement for institutions to collect data about learners in each education sector. Data collected for mandatory purposes represents the principle focus of the data collection about all learners. The collection of this data is inextricably linked to the funding institutions receive. A proportion of respondents in the consultation (10 per cent) expressed dissatisfaction that the focus of data collection is on meeting the requirements of funding bodies. The type of data collected varies between sectors (see section 5.1). This data is collated by the funding bodies and used for tracking and monitoring purposes (see section 5.2). This mandatory data is collected about all learners and is not specific to those with SpLD. Legally institutions must try to anticipate the additional support needs of their learners. This is particularly prevalent in the FE and HE sectors, where institutions are required to publish an individual Disability Equality

Scheme. The scheme has to demonstrate institutions have anticipated learner needs and that it has involved learners in the process, to fulfil the Disability Equality Duty due to come into force from December 2006.

- *To support the identification and assessment of learners' needs*

Within each sector, information is collected particular to learners with disabilities. This information is largely being collected to obtain funding, and to determine the nature and scope of support, for these learners. The information collected includes learner support requirements and data associated with diagnostic assessment and screening purposes.

- *For strategic purposes*

The collection of information by institutions over and above that required to obtain funding was found to be driven by a number of factors. These include the provision of resources; the institutional culture; historical context; and management systems in place. It was found that although additional data was not often collected for strategic purposes, some institutions made use of mandatory and assessment data to support strategic decision-making (see section 5.2). This process was found to be supported by funding bodies, who collate, analyse and provide feedback to institutions on the data. A proportion of respondents in the consultation (10 per cent) expressed dissatisfaction with funding being the main focus of data collection. Where additional information was collected for strategic purposes, it was largely collected for monitoring and tracking purposes (see section 5.2) or to ensure that disabled learners were not being discriminated against.

- *For operational purposes*

Information is collected at an operational level by institutions to ensure that learners get access to the services they require during their course of study, to ensure learners are properly supported and to aid learners' progression. Information is collected by numerous people to fulfil a variety of operational purposes. These include academic /departmental /service support (such as library, photocopying allowances etc.); accommodation support; examinations support (e.g. adapting exams, extended time); recording issues (e.g. difficulties).

### **5.1.3 Variations in Data Collection Practices**

#### ***Variations between the sectors***

There are a number of key differences between the education sectors regarding the collection of data, including mandatory procedures; categorisation of learners; and assessment practices. These key differences are discussed in the following sub-sections:

#### ***Different mandatory procedures***

Data collection is dominated by mandatory data collection practices, which are different in each of the education sectors. This has led to differences in the data collected about learners in each education sector. The focus of data collection within schools is the Pupil Level Annual Schools Census (PLASC), in FE is the Individual Student Record (ILR) and in HE is the Higher Education Statistics Agency (HESA) data.

- *Schools:* PLASC

The Pupil Level Annual School Census is collected electronically by nurseries, primary, middle, secondary and special schools in England (DfES, 2006a). The Census collects information from every school (including named pupils records) and is a statutory requirement under the Education act 1996.

The information collected includes:

- Personal details such as name, address, date of birth, and contact details for parents and guardians;
- Performance in internal and national assessments and examinations;
- Ethnic origin and national identity of pupils (used to prepare summary statistical analyses);
- Immigration status (used to prepare summary statistical analyses);
- Medical information;
- Attendance and any disciplinary action taken;
- The involvement of social services with individual pupils (where necessary)<sup>2</sup>.

The pupil level data underpins important benchmarking data in the National Pupil Database (NPD) and publications such as the Autumn Package and Performance and Assessment Reports (PANDAs). Any published data should meet the requirements of the Data Protection Act, hence data that can identify an individual is not published<sup>3</sup>.

- *FE:* Individual Learner Record (ILR)

The standard route for LSC collection of information about learners with SpLD is the ILR. Acting as part of the national data collection process, the ILR is collected from colleges and providers and is a standard dataset for all learners, collecting information for all learners rather than specifically for individuals with SpLD. However, it does include reference to disabilities and learning difficulties, asking whether a learner has a disability and, if the response is affirmative, going on to the specific detail of what this disability is. It does not have information on support that they are receiving.

The ILR includes information on the learner and their learning aims including:

- Contact information;
- Learning difficulties/disabilities;
- Course duration;
- Course outcome/completion details;
- Learner monitoring; and
- Learner funding.

The Learning Skills Council (LSC) is a national organisation and it is decided at a national level what information is collected from all of the learning programmes. For the main programmes (further education and work-based learning), there is a data form (mainly electronic) completed and submitted by learning providers. The ILR is submitted electronically by learning providers to the central, national LSC database, which regional LSCs can access, so national and local LSCs get the data at virtually the same time. The forms are mandatory.

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<sup>2</sup> Powys county council (2005)

<sup>3</sup> Department for Education and Skills (2006)

- *HE*: Higher Education Statistics Agency (HESA)

The equivalent mandatory data collection practice in HE is collected for HESA. This agency is a central source for HE statistics and collects five main datasets:

- Student;
- Destinations of Leavers from HE;
- Staff;
- Finance; and
- Non-credit-bearing Course Records.

HESA requires universities to collect the information for all the students. The student record is collected from HESA twice annually and includes information about learners' ethnicity, institution level, subject of study, and qualifications obtained. Notably HE institutions are not obliged to return disability data to HESA and learners are not obliged to report their disability. Thus HESA figures on disability are not representative of the total student population. HESA has begun a major review of the Student Record for implementation for the 2007/08 reporting period.

Nevertheless, the statistics are used to draw up performance indicators for each HE institution, for full-time first degree students; full-time undergraduates (on first degree, diploma and other undergraduate non-degree courses); and part-time undergraduates studying at least 50per cent of the time. Each section gives the number of students in the category, the percentage who are in receipt of Disabled Students' Allowance (the indicator) and the benchmark. The benchmark is based on entry qualifications of the students and their subject of study.

*Different categorisations of learners with SpLD* – Another key difference between the education sectors is the way that learners with SpLD are categorised. There are varying categories being used to define learners with SpLD, as illustrated on table 1.1 overleaf.

The table highlights the shift between the use of the general category of specific learning difficulties and the use of specific terms across the sectors. The interchange between categories for learners with SpLD was regarded, by respondents in the survey, to have a number of implications, including causing confusion (for learners, parents and teaching staff), undermining data integrity, making it difficult to monitor trends and track the effectiveness of support. The terms are also found to be interchangeable within sectors, as exemplified in the following quote from a survey respondent: *'we always use dyslexia with the pupils and their parents but have to use specific learning difficulties with the authority'*.

School Sector	FE Sector	HE Sector	
PLASC	LSC	UCAS 2006	HESA
<ul style="list-style-type: none"> <li>• Specific Learning Difficulty</li> </ul>	<ul style="list-style-type: none"> <li>• Dyslexia</li> <li>• Dyscalculia</li> <li>• Other specific learning difficulty</li> <li>• Multiple learning difficulties</li> </ul>	<ul style="list-style-type: none"> <li>• Specific learning difficulty (e.g. dyslexia)</li> <li>• Unseen disability</li> </ul>	<ul style="list-style-type: none"> <li>• Dyslexia</li> <li>• An unseen disability (e.g. diabetes, epilepsy, asthma)</li> </ul>

Table 1.1 Summary of terms used to categorise learners with SpLD across the education sectors.

Respondents raised a number of issues concerned with the current way in which learners are categorised across the education sectors:

- Definition of terms: There are no set definitions for these categories and there is currently a lack of consensus about how terms are defined. They are therefore open to interpretation.
- Staff awareness: There are concerns that there is a lack of understanding as to what constitutes each type of specific learning difficulty; with blame being placed on learner's laziness or behaviour rather than recognition of their difficulty.
- Co-morbidity: Learners do not always fit neatly into one particular category and may have multiple disabilities. It can be common for learners to have more than one type of specific learning difficulty or an additional disability. Furthermore, the characteristics of the different categories of SpLD are known to overlap, hence learners can fit more than one category.
- Self-disclosure: The categories can cause confusion for learners who are required to disclose their difficulties (e.g. on application). Learners may interpret the varying categories of disability differently to professionals who have worked with them or made assessments of their difficulties. Those with SpLD have been found to identify themselves as 'other disability' or 'unseen disability', thus categorising themselves differently. UCAS figures are believed to be skewed by the 'unseen disability' category, making it difficult to compare figures between sectors (e.g. between UCAS and HESA). It is a concern that the categories might act as a barrier to learners accessing support and that learners need to know why they are disclosing the information.
- Learner guidance: Learners need guidance about how their nature of difficulty might affect their career choices.
- Labelling learners: The categories reflect the medical model of disability. Giving learners a label is like placing them in a 'pigeon hole'. Learners should be given the opportunity to discuss how their difficulties affect their learning.

There are calls for action to be taken to clarify the categorisation of learners with SpLD. There was support amongst respondents for categories of disability to be standardised

across the sector, with calls for clear, common, and consistent terminology to be used. This is exemplified in the following quote: *'There is a need to develop a common language that is easily understood across the sectors'*. Some of those who argued for such standardisation felt it would be beneficial for learners and service providers by minimising confusion, helping the transition between different sectors, simplifying funding issues, helping to ensure that support and approaches are consistent across sectors and enabling data to be compared. For example: *'It would make sense if all sectors used the same codes/terms and then support could be more consistent across schools, FE and HE.'*

Respondents highlighted several barriers to agreeing a common set of categories including the difficulty of identifying difference, the lack of agreement amongst professionals with regard to inconsistent definitions, all categories remaining open to interpretation and the cost implications of equipping staff with the required knowledge.

Notably, 73 per cent of survey respondents were unaware that work was being undertaken to standardise terminology for disability. At a national level, the DfES, LSC and HESA are currently working to agree a common set of categories between sectors. Local initiatives and working groups are also seeking to address this issue. Examples include the Lancaster Aimhigher Disability project and the Disability Effective Inclusion project, who are both seeking to identify and standardise the language used to categorise learners with disability between sectors through staff development and dissemination events. Another example is the LSC-led 'Management Information Across Partners' (MIAP) project, which aims to operate common datasets and definitions between institutions.

*Differential assessment of learners with SpLD* – Another variation between sectors is the assessment procedures used to identify learners with SpLD. In the school sector, schools are required to 'have regard' for the Code of Practice on the Identification and Assessment of Special Educational Needs (DfES, 2001). The Code outlines the process by which learners are identified and assessed in schools. Learners with more severe difficulties apply for a statement of SEN, backed by assessments from external professionals (e.g. educational psychologist). If successful, the statement addresses the learners' entitlement to support and funding. FE colleges<sup>4</sup> are required to adhere to the Learning and Skills Act 2000 (which covers England and Wales). This requires compulsory education providers to carry out an assessment (transitional review) for learners with a Statement of SEN wishing to undertake an FE course and colleges to provide an assessment for other learners. The Act requires the LSC to 'have regard' to the outcome of these assessments and to the needs of disabled learners. FE colleges are required to meet the needs of learners (including those with disabilities) from their core funding. Colleges are entitled to apply for extra funding to pay for any extra support that disabled students need. In HE, assessments are required as part of a learners' application for Disabled Student Allowance (DSA). The allowance is available to all learners with disabilities, studying part-time<sup>5</sup> or full-time, to help towards the costs incurred in attending their course as a direct result of their disability (DfES, 2006b).

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<sup>4</sup> Information pertaining to assessment procedures in FE has been taken from the Skill publications, 'Funding for disabled students in further education' (Skill, 2004) and 'Assistive technology: sources of help and information' (Skill, 2005).

<sup>5</sup> Part-time learners must be on studying 50 per cent or more to be entitled to apply for DSA.

Learners have to apply directly through their previous local authority<sup>6</sup>. The Assessment must be carried out by an approved centre, the costs of which can be met out of the learners' general DSA allowance. The assessor<sup>7</sup> makes support recommendations to learners as part of their assessment.

A range of concerns were raised by survey respondents regarding the means by which learners are identified as having SpLD. These include learners being diagnosed by a non-consistent range of different professionals; for different purposes; and sometimes based on little evidence. The assessment tools and approaches that are being used raise further cause for concern, with different tools being used for different learners and with some tools being used that have been standardised against an American population rather than a British cohort. It is further noted that detailed diagnostic assessment tools are not always available to learners, prompting the use of a generic label of SpLD rather than specifying the nature of the learner's difficulty.

Survey respondents reported examples of work being undertaken to develop robust assessment tools; measures by which to identify learners' specific difficulty. For example, the University of Loughborough is currently developing a tool by which to identify learners with dyscalculia.

### ***Variations within the sectors***

Data collection practices were found to vary significantly at an institutional level. The information collected by institutions in addition to the mandatory information required by the funding bodies has led to these variations of practice at a regional and institutional level.

- *Screening of learning difficulties* – one key difference that has been noted between institutions (rather than between sectors) is that some institutions use tests to screen learners for potential difficulties in numeracy and literacy whereas other institutions rely on referrals (e.g. from teacher/lecturers, parents, learners) to identify SpLD. The research found that tests were used to screen all learners in each of the education sectors by some institutions, at either a regional or local level. For example staff in one secondary school reported giving all year 7 pupils (including casual and late entrants) a Cognitive Ability Test (CAT) on arrival to pick up learners who may have specific learning difficulties. A further education college reported giving all full-time students an initial and diagnostic assessment, which includes possible dyslexia indicators. A university reported their decision 7-8 years ago to screen students on entry, in order to raise their awareness of dyslexia and dyspraxia and to help identify learners who may want to go on to have a full diagnostic assessment. They used a self-assessment checklist from the Adult Dyslexia Organisation for all learners during induction to the university. Learners can choose whether or not to hand this in. The disability team contact any learner who is above the recognised level for an indication of dyslexia.

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<sup>6</sup> Local Education Authority in England/Wales; Student Awards Agency for Scotland (SAAS) in Scotland or Education and Library Board in Northern Ireland (Skill, 2006).

<sup>7</sup> As part of a review into the Assessments of those with SpLD (DfES, 2005), it is recommended that those providing assessments for DSA by 2007 must hold a current Practising Certificate in SpLD Assessment.

Such mass screening tests may be followed up with specialist assessment where initial assessments identify this need. In the university example, learners identified to be 'at risk' are invited to do the Lucid Adult Dyslexia Screening (LADS) computerised screening programme as a follow up. They are then met on an individual basis and their screening results and backgrounds (e.g. details of schooling) are discussed. It is left to the learner as to whether they want to proceed to a full diagnostic assessment. Learners who decline the full assessment have been found to return later for assessment when they find study increasingly difficult.

Other institutions contrastingly describe screening being much more selective in scope. One FE college described screening taking place where learners are referred by teachers, express an interest in being screened, or where considered necessary after either a conversation with the disability officer/dyslexia team or completion of a basic questionnaire. Such institutions were found to refer to the importance of staff training, to raise their awareness of SpLD to ensure that as few learners as possible 'slip through the net' and thus miss out on the additional learning support they require. Mass screening of all students is not common at university level, partly due to the sheer numbers involved. One university described screening of specific groups, e.g. those on certain courses, is undertaken, as a result of recognition that certain courses typically have higher proportions of students with SpLD. Reflecting this, one respondent noted plans to screen learners on an Art foundation course.

- *Identifying support needs* - Procedures for identifying support needs were found to vary between institutions. At one FE College learners have to sign a form at enrolment relating to additional support needs. In contrast at another college, tutors go through a form with their tutees at the start of term and pass this on to the Disability Officer. The Disability Officer then arranges to see them, liaising with the dyslexia team regarding learner support needs.
- *Collecting additional information* - The amount and type of information collected by institutions, in addition to the mandatory information, varies between institutions.
- *Recording practices* – The practices for recording information about learners with SpLD varies significantly between institutions. Institutions use different databases to hold information about learners and often hold information on several databases in one institution. For example, universities may have a main central database (e.g. SITS, QLS); disability services local database; departmental database; exams office database; academic/support staff database. Some larger institutions link their disability database to the central management system where they can record all the information electronically about the learner. Information is recorded at different intervals in different institutions. Some collect additional information about learner needs prior to enrolment where others do not.
- *Confidentiality of data* – there were notable differences between institutions and authorities in their approach to the treatment of data. This point is exemplified by the difference in attitude between schools and LEAs in terms of data sensitivity. LEAs reported the fact that they regard information on special education needs as being sensitive and thus treat it confidentially, while SENCOs reported seeking to make the information easily accessible (for school staff) and saw this as a positive step towards inclusion.

#### **5.1.4 Emergent Issues affecting the Collection of Data**

##### **Lack of standardisation**

There is a lack of standardisation across the education sectors with respect to different data collection practices as well as the use of different categories to label learners with SpLD. The collection of information is specific to particular education sectors. There was no evidence that data was being collected at a wider, cross sectoral level. This finding is compounded by the fact that as learners move through the education sectors, much of the data that has been collected does not get passed on (see section 5.3 – data dissemination).

One in three survey respondents reported being dissatisfied with the current situation. Specific responses made reference to the inconsistent, ‘haphazard’ and ‘hit-and-miss’ approach across and between sectors, leading to inefficiencies, inaccuracies and skewed statistics. Respondents noted three broad negative implications of this type of system:

- Creating barriers for the learner – e.g. *‘The information gathered is clearly not learner-focused and would appear to create additional barriers for the student’*. *‘Often information is unnecessarily duplicated and is unavailable for sharing between institutions therefore ensuring that learners do not experience a coherent service’*.
- Hindering the comparison of data e.g. *‘The different practices make it difficult/impossible to compare data across sectors so that research into the current position with SpLD learners is hard to determine’*.
- And hindering the strategic use of data e.g. *‘The data seems incomplete and too general to be very helpful to institutions with regard to planning and staffing’*.

However, there was some discrepancy amongst respondents as to whether standardising the collection of data across the education system would be of benefit. A proportion of respondents (12 per cent) called for the system to be more standardised in terms of data collection, reporting the need for a ‘single system’, and ‘some joined-up thinking’. There were also calls for the standardisation of terminology and definitions, reporting how this has been identified to be a key issue in the national LSC review of funding and provision for disabled learners. Changing the system to make it more co-ordinated was argued to ‘give opportunities to share findings, establish trends and forward plan’. Standardising data collection was also argued to support the use of data – for example in making comparisons; in writing quality assessment measures; in making analysis of the data meaningful.

In contrast, a proportion (10 per cent) of respondents expressed some concerns about a standardised system of data collection. Data protection issues were seen as a barrier to standardisation, since passing information on was seen to break learner confidentiality or contravene the Data Protection Act. Other respondents argued against a common system of data collection because of the way that data is used. For example:

*‘As the level of support differs, and the nature of support differs...the collection of data is used differently and therefore should be collected differently’*.

Respondents argued that since data was ‘needed for different purposes in different situations’ the usefulness of having common data collection practices was questionable or unnecessary.

The consultation survey asked respondents to identify initiatives to standardise data collection processes within their sector or across the education sectors. The majority of respondents (62 per cent) were unaware of such initiatives, and amongst those who demonstrated their awareness, few reported efforts to standardise across sectors. It was stated by a proportion of respondents (six per cent) that there was a willingness to standardise (or discuss that it was needed), but that this was not followed through into action, there was not the capability to do so or that action was not often 'official'. Initiatives were thus more commonly reported at a local scale rather than nationally. Only one initiative was reported to operate across education sectors – i.e. the 'learner achievement tracker' working across a number of different sectors. Within the school sector initiatives include standardising the DfES assessment report in style and content for 2007; the use of a pupil identification number to help track learners through the statutory school sector; and the introduction of value added scores throughout the school sector. In the FE sector, respondents referred to the LSC-led Management Information Across Partners (MIAP) project, to manage changes in data collection practices and make data handling more coherent and the use of common data codes to collect information throughout the sector. Within the HE sector, there were references to specific projects addressing data collection including the Disability Effective Inclusive Policies project and the Aimhigher Lancaster Disability project, which seek to overcome the barriers associated with data collection. It was reported that Aimhigher Greater Merseyside are seeking to standardise their monitoring and evaluation process across the partnership as part of its strategic plan (2006-8). Notably respondents also reported efforts to standardise data collection between education and health sectors. Initiatives include plans to set up a common database for school, health and social services; Connexions plans to develop data sharing protocols; and a database for use by both Local Authorities and Children's Services.

### ***Self-disclosure***

One of the key emergent issues affecting data collection is the importance of self-disclosure in the identification of learner difficulties. This issue was reported to be particularly pertinent post-16 due to the impact of data protection legislation. The FE and HE sectors, in particular, are reliant<sup>8</sup> on learners disclosing that they have a difficulty in order to instigate support and assessment procedures. There were a number of barriers affecting self-disclosure:

- Learners' reluctance to disclose: learners may be reluctant to disclose their difficulties. Survey respondents outlined several reasons for such reluctance including a fear of the reaction which disclosure may create such as endangering their chances of getting a place (particularly for courses or institutions where there is high competition for places); a fear of being discriminated against or stigmatised; or their peers' reaction to any special arrangements. Respondents also reported that learners may not wish to be labelled, may have had previous negative experiences, or may wish to have a 'fresh start'. The wording on application forms is also reported to discourage some learners from disclosing their difficulties.
- Learners' awareness of difficulties: learners are not always aware that they have a difficulty; only becoming aware when they are studying on a course. One

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<sup>8</sup> Institutions ensure they are not solely reliant on self disclosure through a variety of measures including screening all students during induction; promoting staff awareness and referrals; and learner monitoring procedures.

respondent noted that '85 per cent of my students at 18 years and above have their first diagnosis of dyslexia at University. They don't know they are dyslexic'.

- Learners' awareness of the importance of disclosure: learners may choose not to disclose simply because they do not see the benefit in doing so. Hence, as one survey respondent stated '*hopefully, if learners could see that it would benefit them to do so [self disclose] they would be happy to disclose this information about themselves*'. Respondents reported a marked rise in learners self-disclosing their difficulties coming up to exam times. One institution ran a campaign to make learners aware of the benefits of disclosing (such as having longer to finish an exam or being able to use a laptop). Making learners aware of the benefits of self-disclosure has been deemed to be of a wider benefit to the institution: '*If pupils were made aware of what they are entitled to then disclosure may not be a problem*'.
- Dependence on diagnosis: the lack of earlier diagnosis and screening or a misdiagnosis of learning difficulties affects self-disclosure. Learners were also reported to have claimed to have a learning difficulty when they have not received a formal diagnosis.
- Staff awareness: once enrolled at an institution, disclosure is somewhat dependent on staff being aware about the characteristics of SpLD and of difficulties their learners are experiencing. As one respondent highlighted: '*Lecturers need to have appropriate staff development to be able to better support such learners*'.
- Learner choice: there is a need to recognise that learners have the choice and right not to disclose. Their confidentiality needs to be respected. Where learners are required to self-disclose, they are in control. The point about learner choice is reflected in the following quotations from survey respondents: '*Ultimately this [self disclosure] is the learners' choice and some people do not want to be categorised*'. '*It must be for learners to decide if they wish to avail themselves of additional support through declaration*'. As one respondent reported, support is not always appropriate: '*...many educators have the best interest of learners at heart and want to help them, but that in their quest to help students with SpLD, they often do not listen to the students, putting generic and often inappropriate support in place*'.
- Data protection: learners are protected under data protection rights and issues of confidentiality. In the HE sector, referees sometimes disclose on the learners' behalf. This is reported to cause problems since if the learner has not disclosed on the application form, the University is then aware of a disability but cannot discuss it due to data protection.

As a consequence of the system being reliant on learners' self disclosing their difficulties, institutions and support organisations (such as UCAS) were found to go a long way to encourage self-disclosure. Such measures were evident for prospective learners (pre-entry) as well as for current learners (post-entry) and were evident within each education sector. Learners were encouraged to self disclose through:

- Pre-entry: by providing advice, encouragement and explanations to learners (and parents) at open days, on the application forms, during pre-entry guidance sessions or during interviews; providing information in the institutional prospectus or on the website; setting pre-entry questionnaires; running publicity and awareness campaigns through external agencies and professional bodies (such as Aimhigher, disability organisations).
- Post-entry: by providing advice, encouragement and explanations through individual tutorials, course tutors, academic support tutors, and induction talks; encouraging

tutors to be aware whether learners are having difficulties and to advise learners to disclose; provision of staff development training; advertising support services on posters around the institution; running publicity campaigns to (e.g. timed before exams); and by making effective learning advice available to learners.

These reported methods to encourage self-disclosure were said to be instigated for a variety of purposes – to raise learners' awareness of the importance of disclosure; to raise learners' awareness of the support available; to explain the function of learning support; or offer explanations to learners as to why institutions and staff want the information; and to raise staff awareness to ensure academic and support staff can spot signs of difficulties and effectively advise and encourage learners to self-refer or disclose.

Levels of disclosure were reported to vary from institution to institution. It was argued that institutions (and/or staff) have a role to play in influencing and encouraging self-disclosure amongst learners, indicating that some institutions are more nurturing than others:

*'The numbers of students disclosing will depend very much on the ethos of the institution, the standard of information provided and the variety of media and the number of safe and confidential opportunities that are offered.'*

Survey respondents called for encouraging self-disclosure to be a priority in all institutions. They argued that institutions need to be pro-active and provide a supportive environment in which learners can disclose. Schools were deemed to have a role to play in actively encouraging disclosure and preparing learners for FE and HE; thus boosting learners' confidence in self-disclosure. In addition, it was felt that learners would be more inclined to self-disclose their learning differences if the forms which they complete were more user friendly.

### **Focus of Data Collection**

The majority of data collected about learners with SpLD was reported to relate to the learners' admissions to the institution and assessment of disability. There was found to be less focus on their success and progression in the institution during the data collection process. This was evident across all education sectors, although found to vary from institution to institution.

There were support amongst respondents to the survey (19) for improving the collection of information on success and progression. Amongst these were calls for the collection of such information to receive a '*higher profile*', be '*more widespread*', '*a requirement*', or be '*monitored and published*'. One respondent felt that '*measuring success and progression should be the primary purpose of data collection*'. Amongst those who supported the collection of such information, some argued for more emphasis to be placed upon the potential of learners with SpLD to achieve and progress. For these respondents, a system to record learners' successes and track their progression would be welcomed.

There were other suggestions that success and progression data was not apparent because institutions were not required to report on it e.g. '*I don't think the information has been asked for although it is available*'. This was not true across all education sectors, with schools and FE providers being required to report learners' achievement and completion dates to funding bodies and government agencies. In FE, this data

collection forms part of the individual learner record and the LSC uses this information to calculate success rates regionally and nationally. Nevertheless, information on learner success and progression is limited to certain types of data. One LSC reported, it had decided not to ask colleges to enter information on learner destinations; a decision which was now regretted. It was clear that external organisations (or legislation) have a significant influence upon data collection, as encapsulated in the following quote from a survey respondent:

*'The only time that my institution processed, and attempted to evaluate, the success of learners with SpLD who had support, was when it was being inspected by OFSTED!'*

It was thus argued that the new Disability Equality Duty applicable to HE and FE could potentially play a part since institutions will be required to review issues such learner retention, success, and progression. Reporting to parents appeared to act as an additional driver to the collection of information on learner success and progression, particularly in compulsory education.

A proportion of respondents (17 per cent) felt that in order for success and progression information to be collected, discussion was needed about:

- Learner 'success': how to define and measure success. As one respondent put it - *'How is progress measured – exams? .....or, personal development based on IEP?'* Linked to this is a need to discuss the variables that contribute to a learner's success:

*'Many factors contribute to success.....opportunities available, support, constraints/flexibility of the course /assessment/previous educational experience, background etc'.*

The variability of such factors is reported to make it difficult to analyse.

- The purpose of recording learners' success: is it to support the learner, report to others or to measure the 'worth' of a service or institution in terms of results.
- Monitoring learners' long term progression: discussions about the implications of recording progression information on learners due to long-term labelling;
- The focus on learners with SpLD – to discuss the progression and success all learners (or other under-represented groups) not just those with SpLD.
- Learner involvement: to discuss with learners whether they would want their success and progression recorded.

Efforts to collect information on learner success and progression were reported by forty per cent of survey respondents. At a National level, there were reports that learners' success stories had been featured on an interactive CD-Rom about SpLD. The LSC report 'A New Measures of Success Programme' examining the achievement of all learners i.e.

*'[The] 'New Measures of Success' programme....examines a full range of learners and their achievements. There is work currently underway to ensure that LSC Success Measures are fully inclusive.'*

There was one reported example at a regional level, where a number of partners in Greater Merseyside are working together to identify the progression and attainment levels of all young people in the region. Other examples pertained to practice in individual institutions. Amongst these, several respondents reported collating exam performance data over time, with a view to building learner profiles, undertaking performance reviews or plotting learner progress in relation to expectations. Records were made of learner retention and withdrawal rates, completion on programmes, and

final destinations. Some institutions followed learners for a period of time after leaving the institution. Staff reported asking learners for feedback and discussing their progress with them, either informally or through more formal procedures including focus groups (run by the Disability Support team), interviews and questionnaires. Where intervals were specified to measure success and progression, there was a range of responses from yearly, 'twice-yearly', every term to weekly. It was apparent from responses that some saw as their role to highlight learner progress.

The variations between institutions was clearly apparent, ranging from no specific success and progression data being collected unless there is a specific requirement, to such data being collected on an anecdotal basis, through to collection as a matter of course and good practice. It was argued that the lack of data collection was due to 'lack of expertise' to assess progress using suitable tests. Where it is collected, there were further variation in the amount and type of information recorded – with more reports of exam data being recorded than of personal development. There was also found to be varying practice within some institutions, with some individuals or departments doing so more than others. Whilst there is reported to be variety of practice, those who collect success and progression data note several potential benefits; these include improving services for learners, motivating institutions, celebrating learner successes, or demonstrating accountability.

## 5.2 The Use of Data

### 5.2.1 Users of data

#### ***Funding Providers***

- *Local education authorities (LEA)*

The LEAs use the data they have collected through the PLASC system and assessment of learners with special educational needs (SEN). LEAs report using the data collected to benchmark against national measures: entry level profile; Key Stage 1 SATS; internal SATS; Key Stage 2, 3 and GCSE attainment. Figures are analysed to calculate the value added by strategies/interventions for learners with SpLD. This information is fed back to schools to enable them to monitor their own progress.

LEAs also reported using the data to monitor the progress of learners with SpLD. The fact that all schools collect PLASC data enables the LEAs to track individual learners through the system. In one LEA, data is used to analyse individual pupil progress, which is then used to inform interventions and provide staff development. Another LEA reported colour coding the progress of learners with SEN according to whether they are making 'average'/'above average'/'below average' progress. Results are presented in a 'rainbow chart' and fed back to schools.

Data associated with the identification and assessment of those with SEN at the statementing stage is used to calculate the funding and provision of additional learning support. This statementing process applies to learners who are in LEA-maintained schools.

- *Learning and Skills Council (LSC)*

Information is held centrally by the national LSC and sent out to each local LSC. At a national level, the LSC publishes national statistics to be benchmarked against. These provide information about the numbers of learners with or without a learning disability but do not distinguish between the different types of SpLD. The LSC calculates success rates, looking at when learners are achieving qualifications or fully completing their programmes. This is calculated for all learners not just those with SpLD. The national LSC produces standard reports but then local LSCs can also manipulate the data themselves so that they can break it down further into say region and then authority district.

The LSC has set Equality and Diversity Impact Measures (EDIM), from which local learning and skills councils have to agree performance indicators and set targets. These cover a range of diversity and equality issues (mainly around delivering learning programmes). In the same way that individual learning providers are inspected, the LSC is subject to 'area inspections' and goes through a process of self-assessment involving looking at their achievement by groups of learners. They look at the numbers of young people going into particular programmes and then of those, how many have disabilities and how many are from particular ethnic groups. This is used to analyse performance within different learner groups and to ensure that there is parity and that learners with disabilities are achieving at the same rate

and level and do they have the same opportunity. They also use the data on the nature of a learners' disability to ensure that provision is in place for each individual.

Regional LSC offices use the information differently, according to their region's specific context and needs. As such, the extent to which SpLD is considered as part of a wider benchmarking and monitoring system varies locally according to geographical context. For example, if SpLD is identified as a particular problem for a region then the LSC might do more routine analysis on this:

*'We analyse performance within different learner groups and we find that if there's a gap, for example between learners with a disability and those without, then we might select that as an EDIM and we'd get all of our learning provides to sign up to that. Within [our region] we analyse that but it isn't an issue for us, we've got more of an issue with gender in our region. Some officers in other areas may have selected SpLD as an EDIM but it isn't something we've concentrated on' (LSC Performance and Information Manager).*

The information is also used by the LSC to identify future needs. For example, one LSC said that in their region, they have seen a relatively large increase in the numbers of individuals being diagnosed with Autism. It is anticipated that these individuals will enter post-16 education in ten years or so, leading to an increased demand for lecturers and institutions that can handle this disability to ensure that provision is in place for those individuals. The information gathered hence plays a role in establishing the bigger picture and ensuring that future, and not only present, provision needs are met.

- HESA  
Data of the number of learners with SpLD is used to measure funding and support given to those learners and the institutions in supporting disabled learners. The funding mechanism has changed and now depends on how many learners with SpLD claim Disabled Students Allowance. As such, the collection of data on DSA claimants is vital if institutions are to ensure that they receive the appropriate level of funding. In some institutions, that information is used as a marketing tool, particularly in the small specialist colleges where they have high percentages of dyslexic students. Information on the DSA is also used to invoice and charge the appropriate LEA for the study skills support.

### ***Institutions***

The use of data by institutions emerged as a contentious issue in the research. There was some agreement (1 in 3) amongst participants in the research that information is predominantly used to provide information to funding providers rather than to support the strategic objectives of an institution. Such a focus was said to be detrimental to learners and move the focus of data collection away from the learner. A proportion of respondents (16 per cent) reported that their institution did not use data for strategic purposes (or being unaware that they did so).

There were calls, amongst survey respondents, for data to be used differently by institutions, to support their strategic objectives rather than solely for funding purposes. The suggestions made by these respondents were found to correspond with actual

strategic uses of data reported by others. The following categories reflect the potential (as well as known) ways in which data can be (or is being) used to support strategic decision-making at an institutional level:

- To inform objective setting;
- To support monitoring e.g. of institutional performance, the quality of services; of student progress or the accuracy of data collection;
- To enhance quality e.g. by informing quality procedures or to help assess quality;
- To improve effectiveness e.g. by informing lectures/tutors/ teachers, or supporting staff development;
- To aid planning e.g. to plan for levels of provision, to target or redirect resources; or to inform recruitment.

The use of the data to obtain funding for learners with SpLD was evident across all of the education sectors. This is to ensure that learners with any disability/learning difficulty are catered for and supported. The data is used to set up 1:1 support for learners, implement exam arrangements and concessions and provide support recommendations for teaching staff. The information is used to ensure that learners with disabilities are not discriminated against and is used at an operational level to inform tutors and other relevant staff.

Individual institutions also report using the data to monitor the success and progression of learners with disabilities. In 2005, one university began to look at the achievements of all learners who graduated, looking particularly at how learners with a disability, including SpLD, performed in relation to other learners in terms of their degree award. In addition, the institution looked at those who have not progressed to see if there are higher levels of learners with disabilities who have dropped out. They also looked at learners who were known to have a disability on admission to find out if a higher proportion didn't come forward.

### ***Service Users***

Some of the data collected by institutions is published on public access websites (such as the DfES, OfSTED) and is reported in the institutions' publicity material (e.g. prospectus). It is made available for prospective learners and their parents, as well as for reporting progress at particular stages of a learners' education during compulsory education. Learners (and their parents) are thereby users of data. Some learners were reported to make their choice of college based on how much learning support they will get.

### ***Other bodies e.g. UCAS***

UCAS data is used to understand the characteristics of all applicants to (and those accepted at) higher education. UCAS conduct their own statistical analysis of applicant (and acceptant) profiles and these are made publicly available on the UCAS website (UCAS, 2006). UCAS data can be purchased for research purposes, by individuals and institutions. Institutions report using UCAS data to monitor the numbers applying with disabilities, in order to direct support provision for learners with disabilities. The data is known to have gaps since learners self-disclose their disabilities affecting the numbers recorded.

## 5.2.1 Emergent Issues in Data Use

### ***Tracking Learners***

Variations in mandatory data collection practices and categorisation of students makes it difficult to track and monitor learners through the education system. The variations in categorisation were reported to make cross-sector comparisons problematic:

*'It is unfortunate that there are variations [in categorisation], as this makes it truly difficult to monitor trends, due to the potential inaccuracy of the data'.*

Efforts to standardise data collection for tracking purposes appears to be focused within sectors rather than across sectors. For example, the 'Unique Pupil Number' is only used to identify pupils while they are in school. This means that tracking learners once they have gone on to a sixth form college may rely on locally negotiated agreements to obtain access to data. Learner mobility is reported to affect tracking at a local level. SENCOs in high mobility locations (such as London) reported the challenge of collecting the required data on all learners with SEN within their school due to learners moving on.

### ***Lack of external focus***

The potential use of the data is affected by the nature and scope of data collected within and across the education sectors. There are reported to be gaps in the data, for example, LEAs only collect information about pupils in LEA maintained schools. Respondents reported that institutions were not provided with the resources to enable consistent data collection practices between institutions and sectors. Hence one respondent questioned:

*'Why was every FE college in the country left to design and/or purchase its own MIS system (hugely expensive to individual organisations and generally not fit for purpose) when external agencies e.g. DfES /LSC presumably knew what they needed and could therefore have commissioned something for the entire sector'.*

The focus within sectors (and institutions) affects the ability of research to fully understand the progression of learners with SpLD through the education sectors. Whilst there was some support for a greater external focus on data collection (for example by collecting data in a uniform way, across all sectors) to enable this to happen, some felt that research needs should not drive the collection of data. This was said to come down to the purpose for which data was collected – *'depends on prime purposes – data collection for the sake of it?'; 'we focus on supporting the students not counting them'.*

## 5.3 Data Dissemination

### 5.3.1 *Practices for Sharing and Disseminating Data*

Data dissemination fell into two key areas – internal communication (within an institution) and external communication (with organisations outside the institution). Notably, 72 per cent of those respondents who reported mechanisms for communicating information focused predominantly on internal strategies, with less than 30 per cent focusing on external strategies for disseminating information.

- *Internal communication*

Participants in the research reported a number of different mechanisms for disseminating data within institutions. These include:

- *Informal methods*: such as emails, phone, newsletters, memos, networking;
- *Staff liaison*: staff meetings between academic and support staff to review the progress of learners and offer advice on teaching practices, seminars and training courses - sometimes involving away-day team events and staff induction, reporting and review days;
- *Publications*: staff handbooks, staff bulletins;
- *Open access records*: electronic learner records, standardised forms (e.g. for admissions, referral, disclosure);
- *Activities with learners*: discussions (e.g. to formulate action plans)
- *Internal annual evaluation and quality audits*.

Within institutions, respondents referred to the need for information to be shared between a number of different staff, particularly in large organisations (such as higher education institutions). Information pertaining to an individual learner can be shared amongst:

- Teaching staff including tutors, teachers, tutorial co-ordinators, course-based staff, departmental and faculty staff;
- Central staff and services: including the registry;
- Support staff: including library, computer staff, learning support, disability support staff;
- Senior management;
- Internal quality managers.

There may be internal committees and working groups such as Equal Opportunities Forum, Disability Forum, Boards of studies, Equality and Diversity Committee and Inclusion Panel who receive regular information about learners with SpLD. There is also dissemination to other stakeholders including study support groups, internal research staff and parents.

- *External communication*

Data is shared with outside agencies, and a number of ways for sharing information with outside organisations were identified. Staff liaison (e.g. via meetings, phone, emails, web pages and printed materials) was reported to be a key method for sharing information about learners with SpLD. Other methods included membership of professional and disability organisations, allowing the sharing of data via professional networks. Data was reported to be further shared with external agencies through membership of web-based discussion forums and mailing lists;

attendance at conferences; newsletters and publications; sharing best practice case studies and attendance at regional and national meetings. Some respondents also reported being involved in initiatives to encourage dissemination on behalf of national bodies (such as Aimhigher, AchieveAbility, Skill, the National Disability Association, ADSHE, Skills for Life Initiative). Others reported being members of a network of institutions (including HE, primary and secondary schools) within a region through 'local and national partnerships' and these were identified as a forum for information sharing. Within sectors, regional arrangements were identified such as cluster meetings for SENCOs. Where formal partnerships did not exist, respondents reported having informal arrangements with local colleges, the careers service, the LEA, and HE representatives. One respondent remarked that data is shared with:

*'All external agencies that have a role in supporting students'*

Regarding learners with disabilities, information was reported to be shared with a variety of disability organisations including Skill, the disability rights commission, the National Association of Disability officers, ADSHE, and the Equality Challenge Unit.

Amongst survey respondents, concerns were reported that data is not being shared effectively within departments, and that data dissemination is hindered by staff being under pressure and lacking the time required to hold discussions about learners with disabilities. Despite these concerns, one in ten survey respondents expressed support for improved sharing and dissemination of information both within and across sectors. There were calls to improve information sharing within an institution:

*'I feel there is a great need for more information sharing across and within departments. Often not all the staff within a department know a student has SpLD.'*

*'I think that there should be some formal practices for sharing and disseminating information about students with SpLD across an institution and that this should be transparent to all staff and students.'*

There were also calls to formalise procedures and practices, such as by giving individuals a unique identifier to pass through sectors and transition planning across institutions. For example:

*'Clear transition planning is essential between institutions e.g. school to College to HE - but the information must be used by the 'chalk-face' practitioner otherwise it's just data rather than being about how best to help individual needs.'*

Respondents identified several barriers to the effective dissemination of data within an institution. Responses fell into three different categories:

- *Individual commitment:* There are barriers caused by individual apathy and reluctance to share information. Any policy implemented in an institution will ultimately be down to an individual to actualise, people need encouragement and to see the benefits and value in their actions.
- *Size of the institution:* The size of an institution was perceived to be a barrier since any new policy or transfer of information is perceived to be easier in a smaller setting.
- *Confidentiality and privacy:* data protection issues (see section 5.3.3 – Data Protection) were perceived to act as a barrier to the effective communication of information, as exemplified in the following quote from a survey respondent:

*'While data sharing can be a good idea in principle all organisations are reluctant to put this into practice because of the danger of infringing the*

*DPA [Data Protection Act]. Practice is easier to share and can promote engagement by celebrating success.'*

### **5.3.2 Variations in Data Dissemination Practices**

#### ***Variations across Sectors***

There were variations between sectors in the practice of data dissemination. One key difference between education sectors is the way that data is regarded. In schools, information is not considered sensitive. Respondents talk of data being passed on a need-to-know basis and of a pupil database being accessible to all teachers: '*Much data collection is published on the staff intranet, for those who care to access it*'. In the post-compulsory education sectors, information dissemination is more particular to the provision of support. Information is treated more confidentially due to the influence of data protection legislation. The greater size of institutions in the FE and HE sector further affects how and to whom information is disseminated.

#### ***Variations within sectors***

The lack of formalised procedures for the dissemination of data has led to variations in practice at a local level, with reported practices found to vary significantly between institutions.

- *Referral procedures* - One key difference between institutions was the referral procedures in place to identify learners with SpLD. Although some institutions have formalised referral procedures in place to support the identification of learners with SpLD, these are not widespread and are limited to individual institutions or academic departments. Survey respondents reported that some staff were more conscientious about using referral procedures than others. Some departments were reported to be reluctant to refer learners as they see support as giving learners an unfair advantage. A proportion of survey respondents made a request for the formalisation and standardisation of referral procedures.
- *Staff development opportunities* – Another difference between institutions was the extent to which development opportunities existed and were carried out. In some cases respondents reported that attendance on staff development courses in their institutions is mandatory for all staff, whilst others reported that attendance is informal and voluntary, and can be poor. Variations were further noted in the quality of the training they received. For example, one response stated that their institution has 'opportunities at basic awareness level', whilst in contrast another described being offered 'training sessions on dyslexia and other SpLD tailored to type of staff'. The scale of training for staff was also found to vary with some describing wide-scale opportunities at their institution with six dyslexia awareness sessions last year, involving 53 staff; whilst others reporting that staff development for SpLD does not underpin core activity.

### **5.3.3 Dissemination at Transition**

One of the key emerging issues from the research interviews across education sectors was the lack of standardised procedures for passing information about learners with SpLD on their transition from one stage of the education system to the next. As a result, the dissemination of data on the learners' transition between education sectors results from locally agreed arrangements rather than due to national or regional strategies.

Approaches to passing on information during transfer varied across and within sectors. There was evidence of contrasting and varying experiences of the dissemination of information at transition amongst survey respondents. Some reported having procedures in place at their institutions whereas others reported disseminating information on an ad hoc basis (such as when requested). For example one respondent outlined a standardised procedure for passing information on between primary and secondary schools in their local education authority; whereas other respondents reported primary schools varying in their practice, and transfer of information only happening if staff requested information. There were more reported procedures in place amongst respondents from the school sector, where the transfer of information is not restricted by data protection.

*'Schools are obliged to transfer information and there are systems in place to do this but the information cannot be passed to FE...and HE about specific students due to data protection'.*

Respondents gave examples of regional arrangements to support the dissemination of data. These included partnership arrangements between institutions in different education sectors. For example:

*'We have worked hard to build relationships with our partner schools....we have access to statements and internal targets and meet with SENCOs in the summer term. We run transition courses for some of the students joining us'.*

Partnerships were also reported to involve the health sector or social services, as well as Aimhigher. An arrangement between Connexions and the LSC was reported, but clearly not at a national scale, as confirmed by survey respondents.

Formal arrangements were reported to focus on learners with more severe learning differences; a finding reflected in survey responses. Respondents more commonly referred to procedures being in place for learners in receipt of a formal assessment of their differences – *'When I worked in schools there was a procedure for stated students going from school to FE' or 'Unless the difficulty is medical or covered by legislation, the transfer arrangements are patchy'.* A caveat was noted by another respondent who reported that transfer depended upon the assessment being recent: *'Communication, if the assessment is recent is great with FE specialists or school SENCOs but if the gap of assessment is five years, LSC rely on student information'.* The focus on learners with statements means that information transfer occurs for only a minority of learners.

The lack of formal procedures for disseminating information about learners with SpLD was reported to have several implications for learners and staff:

- *Repeated data collection:* Institution may have to start from scratch to collect information about a particular learner, where information is not communicated.
- *Loss of data:* since data is not always transferred, it can be lost.
- *Reliance on the learner:* the transfer of information can rely heavily on the learner: *'Transfer of data from FE to us is a problem very much relies on the student'.* As a consequence, learners have to keep and pass on their own records, or give permission for institutions to pass on/receive information: *'we can only receive what a student offers'; 'it relies on the student providing the data, or giving permission for the data to be requested from the previous institution'.* Whilst parents support this process, the continuity can be an issue for learners. This reliance arises from learner confidentiality; a matter which institutions feel little able to influence:

*'We make the mechanisms possible and visible, but we cannot make them [learners] take it up. Neither can we approach their previous institutions without their permission'.*

- **Assessment and support:** the lack of information transfer can have implications for support arrangements at the learners' new institution. It is reported that young people can be anxious for support to continue, yet this can be delayed until a diagnosis is made or received. Learners may declare that they have a disability on an application form yet not provide formal documentation to support their claim. Previous assessment reports are considered essential to enable learners with SpLD to apply for funding and thus receive academic support.

Respondents identified several barriers affecting data transfer at transition; with barriers being raised by more than one in three respondents (37 per cent). The barriers described fell broadly into the following categories:

- **Staff awareness of other education sectors:** survey respondents expressed their frustration that staff were not always aware of procedures in other sectors, which require that information is passed on. This is exemplified in the following quote from a survey respondent:  
*'I have run sessions for teachers in school and FE sector and always find they have no understanding of the situation their students are going into or what they need in order to apply for DSA. Usually DSA is not applied for in advance of starting university. Referral info would be useful especially where the issues are more than the norm.'*
- **Reliance on staff commitment:** Where formal procedures are not in place for the dissemination of data, respondents commented about the reliance on an individual taking responsibility for doing so. Hence as one respondent stated:  
*'I worked in both a mainstream school with a dyslexia unit and in FE. There was good liaison between school and college. It is down to the individual commitment. It shouldn't be, but it is'*
- **Learner choice:** a number of responses raised the issue of learner choice and the importance of allowing learners to have a 'fresh start'. The point was made that learners may not wish information to be passed on; may not wish to be continuously labelled and may fear being stigmatised or prejudicing their entry into a new institution. It was also raised that it is important to respect learner wishes and their right to choose to disclose regardless of what is considered in their 'best interests':  
*'I acknowledge the problem but it is important to respect learner wishes too in any transfer of information e.g. as can happen at present with medical records.'*
- **Data protection:** The automatic transfer of information between certain education sectors compromises data protection rights. The Data Protection Act restricts what data can be passed on about a learner after the age of 16. Some respondents expressed frustration over this, as they feel that it hinders their institution's ability to provide adequate support for learners. This was illustrated in responses to the survey: '[I] think it is scandalous 'data protection' [is] quoted to us far too frequently.'
- **Lack of resources:** Respondents argue that systems are not compatible to deal with automatic information transfer and regard a lack of time hindering information transfer. Respondents were loathed to pass on information where there was an issue as to whether learners would commence the course.

### 5.3.4 Emergent issues affecting the dissemination of data

#### Staff awareness and development

Staff awareness and development is a key issue emerging around the dissemination of data across each of the education sectors. There was significant support amongst survey respondents for the need to raise staff awareness of SpLD through staff development, with 29 per cent reporting a lack of, and need for, staff awareness of SpLD. For example: *'I think that all institutions should have staff development to raise awareness'. 'I feel very strongly there is a great need to raise staff awareness. I constantly chat to students with big problems caused simply by staff being unaware of their needs.'*

Respondents argued that raising staff awareness has the potential to benefit learners by helping to ensure that SpLD is recognised and that learners receive the continual help and support they require. It was argued to have benefits for learner achievement – for example: *'If more staff [and] institutions knew that addressing SpLD issues can boost A-C levels then I am sure more interest would be taken....'* Making staff more aware of issues concerning learners with SpLD was also deemed to benefit teaching and learning, e.g. by helping to reduce the individual adjustments required for disabled learners or by supporting the learner experience.

There were a range of staff development opportunities identified to support the identification learners with SpLD. These include:

- The provision of formal training:
  - Internal: sessions, seminars, workshops within/across departments (including those built into the institution teaching qualification), often run by Disability/Dyslexia Service.
  - External: training days, national conferences run by commercial companies such as SFE, Skills for Life, Basic Skills or the BDA; co-ordinating with regional programmes (such as Aimhigher), participation on National programmes (e.g. AchieveAbility Project). University staff report offering their training courses to staff in FE and schools to widen their knowledge of provision for learners at HE.
- Feeding information to staff through:
  - Local networking and meetings, e.g. local PATOSS meetings and open meetings for staff and parents of the local SpLD group;
  - Professional membership e.g. of groups such as ADSHE, BDA, PATOSS;
  - Published material e.g. information sheets, handouts, information online/intranet sites, using the AchieveAbility CD ROM for staff.

Notably, there were a number of inconsistencies between institutions in the provision of training (see section 5.3.1).

- *Regularity* - some reported training being provided on a needs/demand basis, whilst for others training was occasional (e.g. during induction).
- *Staff involved* – training was not always provided for all staff. Some reported training only being available for new staff, whilst for others it was for long-standing staff. Sometimes training was offered across the whole institution or department, whilst others provided it for specific individuals.

- *Course content* – reportedly courses varied in being either general or focussed, for instance either highlighting the inclusive curriculum or targeting specific disabilities or subjects.
- *Requirement* – training was reported to require either mandatory or voluntary attendance, or be either formal or informal in nature.

There were a number of issues reported to affect staff development:

- *Engaging staff*: respondents described a challenge of reaching the right staff, often ‘preaching to the converted’, or enticing the same staff who are already aware of the issues and are already working to help learners. The problem lies in engaging the rest of the staff. A number of respondents reported attendance at development sessions being low where it was not compulsory – ‘*I ran 14 sessions last year – mostly poorly attended – most see it as my job/problem*’.
- *Resources*: Some training (especially external opportunities) may be expensive. Institutions need to consider staff development needs at all levels and not just for SpLD. For example: ‘*there is a need to raise staff awareness of a number of individual needs – SpLD is not unique in a lack of understanding*’. Some felt that there were too many courses on learning difficulties at the expense of courses about higher achievers.
- *Senior management commitment*: respondents report the difficulty of getting commitment from management levels, which can create a barrier to allowing staff to be released for staff development.
- *Staff priorities*: respondents report that teaching staff are under pressure and do not always perceive training about learners with SpLD to be a priority. For example: ‘*for most academic staff these [staff development opportunities] are not their main focus as they are pushed particularly towards getting their research profiles sorted*’.

## Data Protection protocols

- *The Emergence of Data Protection as a Key Theme*  
Data protection has emerged as a key theme affecting the dissemination of information about learners with SpLD. Legislation relating to data protection and confidentiality (Data Protection Act 1998) governs how information about learners is obtained, held and disseminated. The regulations make sure that information is handled properly. The Act does not specify what institutions should or should not record; rather it lays down standards that should be followed. The Act aims to ensure that data is collected lawfully and fairly, is used for specific and relevant purposes, is accurate, secure, kept for no longer than is necessary and is processed in such a way as to protect the confidentiality rights of individuals (IOC, 2006). Guidance published by the Information Commissioner states that as soon as children are able to understand their rights under the Act, they should exercise these rights on their own. The commissioner deems that by the age of 12, children have sufficient understanding to make their own decisions<sup>9</sup>.
- *Mixed Reaction to the Act*  
The research found that there are opposing opinions regarding data protection legislation. A number of responses (eighteen) were in support for the legislation

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<sup>9</sup> There may be exceptions to this.

because it protected learners' rights to confidentiality and offered learners a choice. It was argued that *'...the rights of the individual must remain paramount'* or that confidentiality was *'extremely important'* or *'vital'*. With regard to the learner, it was stated that *'the individual should be in control of the information'* and that *'they make decisions about what information is passed to the HEI'*. With acceptance of the legislation, there was tolerance of the frustration it caused and of the system being affected (e.g. by being slower). For example, one respondent argued:

*'Frustrating, but inevitable if the student's rights to confidentiality are to be maintained'*.

On the other hand, a proportion of responses (one in seven) expressed a negative view of data protection. It was described, for example, as *'restrictive and constraining'* (with regards to sharing information), *'a difficult area, raising lots of ethical questions'*, *'a legal nightmare, piecemeal and uncertain'* or *'a minefield'*. It was argued that it was difficult to achieve a balance between ensuring confidentiality whilst ensuring learners had access to support. This dilemma is encapsulated in the following quote:

*'I think this [data protection] is a difficult one. If a learner does not want their SpLD disclosed then they will miss out on support.....but then they can't expect that suitable support/adjustments can be set up very quickly e.g. just before exams'*.

There were calls for more clarity around the meaning of terms like 'confidentiality' and worries about how long a file should be kept for.

- Implications

One of the implications of the data protection act is the affect it has on tracking learners with SpLD across educational stages. The act protects a learner's rights to anonymity hence it is difficult to track the progression of those with SpLD through the education system. There were several queries as to the purpose and value of doing so. Arguments centred on the affect of labelling learners over an extended period of time, the need to take account of improvements or adjustments in the learner and the value of being able to identify individuals.

Another implication of the Act is that information is not being shared, where it potentially could be. Respondents reported that they did not release or disseminate data about individual learners or that they acted on the *'side of caution'*. There were concerns expressed that the data protection Act served as a reason for inaction e.g. *'Uses data protection issues to avoid taking action, it seems!'* There were calls for data to be collected without being able to identify individuals.

- Addressing the Issues

Practitioners reported coping with the Data Protection Act in three main ways:

- By seeking consent from the learner: Obtaining learner permission before disclosing any information was the most commonly cited way to deal with issues created by the legislation. This involved making learners aware of the need to pass on information, encouraging learners to disclose and warning learners about any implications about non-consent on the support and service they may receive. Several respondents report asking learners to sign a data protection form on first contact with a service, to enable information to be discussed with others e.g. *'a data protection form...allows us to discuss information with other professional people in order to arrange suitable support'*.

- Raising learner awareness of the need to pass on information early: Institutions rely on information being provided by learners in order to make support arrangements on their behalf. Practitioners report the importance of having relevant information before the learner starts (i.e. pre-entry) to ensure that arrangements are in place on arrival.
- By limiting the number of people with whom information is shared: Practitioners report only sharing information to relevant staff, often on a '*need-to-know basis*'. Data may be stored centrally but only accessible by staff with permission to do so. There were reports about limiting conversations about learners, and ensuring learner anonymity on any published data.

## 6. Conclusions

This research study has explored the collection, use and dissemination of data about learners with SpLD across the education sectors. This report highlights the extent to which procedures for collecting, using and disseminating data are disparate across the education sectors and thus research into the progression of learners with SpLD into HE is potentially fraught with problems. Issues emerged with regard to the type of information collected, how information is used and disseminated:

***The collection of information:*** There is no standardised procedure for the collection of data across the sectors, with variations between sectors in terms of the type of data collected (due to differing requirements of funding bodies), the assessment practices used and the terms used to categorise SpLD. This situation is compounded by differences at an institutional level, such as in how learners' differences and support needs are identified and in how data is recorded and treated. Across the education system, there is a dependence on learners disclosing their learning differences, as a result of data protection legislation. This has an effect upon the flow of information between sectors (and institutions) as the learner progresses. A final issue is that there is less focus on learner's success and progression in the data that is collected, than on learner's admission to the institution and the assessment of their learning differences. A key driver of information collection is funding rather than strategic or operational decision-making.

***The use of data:*** The tracking of learners between sectors relies on local arrangements since there are such variations in the type of information recorded. The potential use of the data is affected by the nature and scope of what is recorded.

***The dissemination of data:*** Issues affecting the flow of information include staff awareness and development and data protection legislation. Staff awareness of learning differences and the means by which learners can be supported has the potential to benefit teaching and learning, learner achievement and provision for learners. This depends upon staff engaging in development opportunities, perceiving it to be a priority and also on the commitment and provision of resources by senior management. Data protection legislation has clearly played a key role in ensuring that information is handled properly. Responsibility for the handling of data has been given to the learner, thus affecting the flow of information collected about them in education. Institutions are somewhat reliant upon the learners disclosing their difficulties and giving consent for information to be shared.

The purpose for which information is recorded about learners with SpLD is not focused on their progression through the education system, making an evaluation of learners into higher education problematical, particularly at a national scale. Efforts to standardise data collection and dissemination practices are at a local and regional scale. Where partnerships exist between sectors, institutions and with learners to support the collection and flow of information, this offers the potential to generate a better understanding of the achievements and progression of learners with SpLD.

## 7. Recommendations

### ***National organisations and policy-makers***

- Consider developing protocols and processes at a national and/or regional level to support data collection and dissemination.
- Consider readdressing the balance of data collection to raise the prominence of success and progression information about learners with SpLD alongside their admissions and assessment data.

### ***Institutions***

- Be proactive in obtaining the consent, and access to information, from learners (preferably pre-entry to smooth the transition and ensure continuity of support).
- Reflect a supportive environment in publicity material to learners to encourage them to self-disclose their difficulties.
- Make the most of opportunities to share data collection practices with colleagues both within and across education sectors.
- Become familiar with the data collection practices in other education sectors and/or feeder institutions.
- Raise staff awareness through staff development about specific learning differences to help ensure that learners are identified and have access to support.
- Work in partnership with other sectors, institutions and learners to support data collection and dissemination practices.

### ***Learners with SpLD***

- Be proactive – try to become aware of how different systems work in different education sectors. Provide your new institution with information about your learning differences or give your consent for data to be accessed (preferably before you transfer) if you require procedures to be instigated to ensure support is in place when you arrive.
- If you are unsure about disclosing your learning differences, try to seek an explanation as to why you are being asked for this information. Self-disclosure may be beneficial for you during your studies - enabling you to gain access to the support and resources you are entitled to.

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