

CONTESTED ISSUES IN UK EDUCATION



Education Act 1981 & Education Reform Act 1988



Poppy Ward/2504110

Module: Education Past, Present and Future

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- 2) Please can you summarise this website for me.
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1981 EDUCATION ACT

- Introduction
- Historical Context
- What the Act introduced
- Why it was contested
- Why the issue is important
- conclusion

The Education Act 1981 was a major turning point in the development of Special Education Needs (SEN) policy in the UK as it changed how children with special needs were identified and supported, this was inspired from the Warnock Report (1978) this is evidenced by (House of Commons Education and Skills Committee, 2006) as it states that 'The Warnock Report in 1978, followed by the 1981 Education Act, radically changed the conceptualization of special educational needs. It introduced the idea of special educational needs (SEN)' it aimed to do this by introducing new principles that encouraged the system to be more transparent, collaborative and responsive. The Act also gave parents more involvement by them being more involved in the assessment and placement process. The Act also had its challenges, such as funding, the statementing and much more that helped to form later reforms. (Welton, 1983). This section is going to discuss, the historical context, the contested issues, and the wider significance of the Act.



INTRODUCTION

HISTORICAL CONTEXT

The 1981 Act was introduced as the first major piece of legislation specifically focused on special educational needs. This act was introduced in a period where there was growing awareness around disability and a major transition to how the UK understood and organized special education.

(Welton, 1983)

The Warnock Report (1978) was an important influence on the 1981 Education Act as it influenced the change of medical categories for instance 'handicap' and replaced it with Special Educational Needs (SEN). Furthermore, it also encouraged the integration into mainstream schools which was another major influence on the 1981 Act.

(Welton, 1983)

The 1981 Education Act introduced a fundamental shift in how special educational needs (SEN) were defined, assessed and managed and it helped to reshape the framework for the SEN provision. Firstly, the act replaced the old medical categories of "handicap" with a needs-based definition such as SEN, this then helped children to be more seen this is evidence by (Welton, 1983) as he mentions that 'the concept of integration with the new definition of special education which embraced a much wider cohort of children, about 20% instead of the 2% who are presently defined as having special educational need requiring extra expenditure and provision.' Additionally, the Act introduced the integration of children with SEN into mainstream schooling where it was possible as there was conditions, such as the child's needs must be met, the other pupil's education must not be disrupted and that the resources must be used efficiently. (Welton,1983).

WHAT THE ACT INTRODUCED

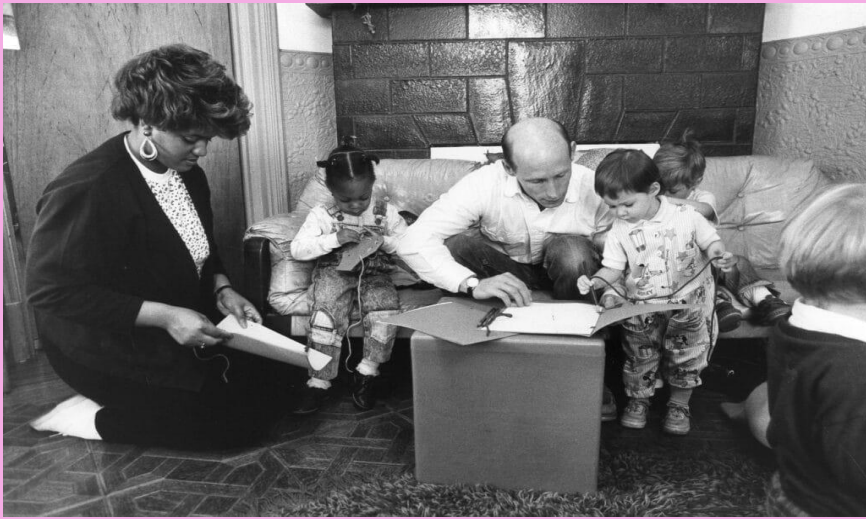


Following this the act brought a major shift toward transparency and parental involvement with the new assessment and statementing process; this is evidenced by (Macfarlane, 1985) as it states that 'Parents may themselves request an assessment of their child and, indeed, may participate fully at all stages of the procedure.' This also meant that they had access to all medical reports sent to the education authorities, and that they could appeal if they did not agree with the final statement, to regards with the assessment and statementing process education authorities decide what medical, psychological and educational assessments were needed, it was then also their decision to determine whether a formal statement of special educational needs should be issued. (Macfarlane, 1985)



The Act also ensured that there was statutory duties in place to protect children with special educational needs, the purpose of this was to ensure that children with SEN received appropriate support and that they had the right to be included in their community and school life, lastly, that there was fair and consistent procedures across local authorities, this also then correlates with the importance of early identification of SEN which the Act put into law from the ideas of the Warnock Report (1978). (Macfarlane, 1985)

WHY IT WAS CONTESTED



(parents as teachers, 2025)

Although the act was beneficial to many, it had a lot of contested issues, this involves there being no clear definition of special educational needs the vagueness of the definition created disagreement as it was clear that children with severe disabilities were included but was unclear whether children with moderate or long-term difficulties were this is shown as (Macfarlane, 1985) states that '2% of children who have severe handicaps for example, most children with cerebral palsy, muscular dystrophy and other disabling muscular disorders, spina bifida, severe mental retardation, severe psychiatric disturbances, severe visual and auditory disturbances, orthopaedic condition that prevent the child walking normally, severe inoperable congenital heart disease, and severe speech defects. Whether, however, it includes a further 18% or so of children with less severe forms of handicap'.



Furthermore, the 1981 Act had contested issues as although the Act pushed for the integration of children with special educational needs into mainstream schools, it did not provide additional funding, training or organisational support which left the responsibility of inclusion on the schools. This then caused the schools to struggle to support diverse learners as the teachers did not have the training or resources to support all of the children's needs. (Daniels, Thompson & Tawell, 2019)

Additionally, the Education Act 1981 also increased the workload for medical officers without any additional funding, this led to health services becoming increasingly overstretched, as the Act placed new statutory duties on them such as, identifying children with special educational needs, informing and supporting parents, communicate with voluntary organisations and to coordinate multi-disciplinary assessments. Due to this there was major tension between the Act's ambitions and the practical realities of its implementation. (Macfarlane, 1985)

Alongside this, the 1981 Act unintentionally caused a system where some children received substantial support through statements, while other children with similar needs were left without the support they needed, this is due to the statementing process requiring parents to challenge local authorities, gather evidence and persist through ruthless procedures, this made the process a competitive struggle between families as the ones with greater confidence and more resources were able to work the system whereas families with fewer resources were more likely to accept decisions without challenge. (Daniels, Thompson & Tawell, 2019)



WHY THE ISSUE IS IMPORTANT

The Education Act 1981 has major importance not only because it redefined SEN, but it helped to shape later reforms. Firstly, the Act encouraged the move away from segregated provision and towards a system based on rights, parental involvement and integration, this shows how it redefined SEN as the Act introduced the statementing process, placed legal duties on local authorities to identify and support children with SEN, however the flaws in the act were also of importance this is because later reforms such as the 2014 Children and Families Act and the 2001 SEN and disability Act attempted to amend the flaws such as statementing, inconsistent identification and unequal access to support. (Daniels, Thompson & Tawell, 2019)

CONCLUSION

To conclude the Education Act 1981 was a turning point in the development of special educational needs, however it also had underlining issues that helped to shape future reforms. The Act introduced integration into mainstream schools, parental involvement, statementing and a broader definition of SEN, This encouraged greater transparency, rights-based support and a more inclusive vision of schooling. However, the Act also has its downfalls this is due to the Act placing new responsibilities on health and education services without providing the resources and funding to meet them, and that the statementing process became unfair and socially unequal as the families that had more recourses and knowledge were able to get the support they needed whereas the families that didn't were left without it.



Education Act 1981



1988 EDUCATION REFORM ACT

- Introduction
- Historical context
- What the act introduced
- Why it was contested
- Why the issue is important
- Conclusion

The 1988 Education Reform Act introduced several changes to the education system and was seen as one of the most transformative and controversial education legislations. It brought out key reforms such as National Curriculum, national testing and new accountability measures. However, the Act also created a quasi-market, which was encouraging schools to compete for pupils and the financial control moved to individual schools and local management of schools. This helped to reduce the influence of local authorities. Overall, while the Act strengthened central government control while promoting autonomy, its market-driven approach risked inequalities. This section is going to cover what the Act introduced, the historical context and evaluated the wider significance of the Act.

(Strain, 2009)



INTRODUCTION

HISTORICAL CONTEXT

The 1988 Education Reform Act was brought out in a period of neoliberal reform, this reform relies on a measurable outcome for improvement, the act did this through league tables, this means that schools were publicly ranked through the school's test results. As a result of this there was pressures on schools to get good test scores and inspection results. (Strain & Simkins, 2008)

Furthermore, there was a decline in the confidence of local authorities when the Act was introduced, and it stripped the Local Education Authorities of many of their core powers and gave individual schools and governing bodies the power of decision making, leaving LEAs with less influence over planning, admissions and resource allocation. This resulted in a clear tension as local authorities were legally responsible for promoting children's welfare, however they no longer had the authority to ensure consistent educational provision across their area. (Sinclair, Grimshaw & Garnett, 1994)

The 1988 Education Reform Act introduced many changes that helped to reshape the education system. Firstly, it developed a quasi-market, this happened as the Act gave parents greater choice and encouraged schools to compete for their pupils, this was supported by open enrolment and funding that followed student numbers. Furthermore, the Act also introduced the National Curriculum, national testing and stronger inspections, which lead to assessment relying on 'detailed criteria, specified standards and elaborate inspection arrangements' this is stated by (Strain, 2009). Also, the Act also introduced new roles for teachers and positioned them more as implementers of centrally defined policy rather than curriculum designers. Lastly, the Act reduced the influence of Local Education Authorities, it did this by gaining increased financial and managerial independence through Local Management of Schools.
(Strain, 2009)

WHAT THE ACT INTRODUCED



WHY IT WAS CONTESTED



(The Star, 2025)

Firstly, the Education Reform Act 1988 had contested issues as it created an imbalance between children's rights and parental choice, it did this as the ERA positioned parents as the primary decision makers within an education market, through open enrolment and school choice parents were seen as consumers whose preferences would drive school improvements.(Sinclair, Grimshaw & Garnett, 1994) states that 'Parents are seen as the customers, children have no rights to be heard', this shows that the children's views could be overlooked because of the parental demands, Overall, because of the ERAs encouragement on parental choice it risked overlooking children's rights and weakening the ability of prioritising the best interests of the child. (Sinclair, Grimshaw & Garnett,1994)

Furthermore, the Education Reform Act 1988 created risks for vulnerable children this is due to the ERA placing schools in a position where attracting high performing pupils became central to the individual school's success, this created a competitive environment, where schools would avoid admitting children whose needs might lower performance indicators or require additional resources. By schools doing this it cause children with special educational needs, children in care, persistent non-attenders and children who were at risk of exclusion to be view as undesirable, this then reduced their access to appropriate provision, undermining the principle that all children are entitled to suitable education, regardless of their circumstances. (Sinclair, Grimshaw & Garnett,1994)

The Education Reform Act 1988, had cause coordination between education and social services increasingly difficult, this is because when the Act reduced the role of Local Education Authorities and gave more independence to individual schools, this led to children not being prioritised by social services unless they was in care or the child protection register, this left schools without the multi-agency support that was needed for more complex needs, however, schools were also less eager to engage in collaborative work if it did not contribute to their performance outcomes. (Sinclair, Grimshaw & Garnet, 1994)

Additionally, there was contested issues within this Act as it created an environment where children with special educational needs were poorly supported, making it so that many children with SEN could not get statements, leading to them not having access to the additional resources or specialist provision that they needed to meet their needs. Also, due to the competitive pressures made by the ERA, there was rising rates in exclusion, cantered around mainly children that had behavioural or emotional difficulties, this made them more vulnerable as schools were more likely to remove these children as a way of protecting their performance outcomes, these children were then left without appropriate educational support as the alternative provision for excluded children was limited and inconsistent.(Sinclair, Grimshaw & Garnet, 1994)



WHY THE ISSUE IS IMPORTANT

The Education Reform Act 1988 had much importance as it helped to shape how schools were governed, funded and held accountable. The Act introduced the National Curriculum and standardised national testing at the ages of 7, 11, 14 and 16, this then helped to measure pupil's progress, this reflected the Acts requirement that 'the secretary of state shall by order make provision, for the assessment of pupils in respect of each key stage' stated by (Education Reform Act, 1988). The Act also reduced the power of Local Education Authorities while also increasing schools' control over their own financial decision making. (Education Reform Act, 1988)

The Education Reform Act 1988, still has importance later on as its still apart of the way that teachers work is still defined by external frameworks rather than professional autonomy. Also, that the reforms it introduced such as marketisation, parental choice, centralised curriculum control and also data driven accountability, have all continued into later governments, such as New Labour. (Strain, 2009)

CONCLUSION

To conclude the Education Reform Act 1988 introduced a new balance of power between government, local authorities and individual schools, while also introducing the National Curriculum, standardised testing and a framework that was built on parental choice and school competition, however it created an environment in school where vulnerable children, such as those with special educational needs, those in care and non-attenders were at risk of exclusion. The Act also caused there to be limited coordination with social services which affected many children as they then did not receive the right amount of support. Overall, the Education Reform Act 1988 was transformative but also contested by encouraging structural change but also creating inequalities for children who were most in need of educational support.



Education Reform Act 1988

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