

Legislations that impacts education: a case study



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Many factors have an impact on a child's education today. Using case study two I will explore the relevant legislations that impact education and how it links to my chosen case study. I will also write about what an Academy is and how the government supports them. The legislations that I will be highlighting in my essay will be the Academies Act 2010, the Equality Act 2010 and the Education and Adoption Act 2016. Asif's school has recently changed to an Academy therefore such legislations are relevant. Within my essay I will be writing about the potential barriers Asif might face due to him potentially having a special educational need (SEN) and his lack of communication. The barriers that I will be writing about is the language barrier, multi-cultural school and the school as a whole. I will then begin to discuss the role of professionals and the support networks for Asif and his family and how professionals need to communicate effectively with Asif's parents. I will write about how a speech and language therapist and a SEN teacher would benefit Asif. Finally, I will then write about social constructivism, what it is and how this helps Asif to better his communication. I will also mention a theorist that talks about social constructivism and what teachers can do to help Asif's learning process.

Within case study two you can link it to three legislations, which are the Academies Act 2010, Equality Act 2010 and the Education and Adoption Act 2016. Academies are state maintained schools but are independently run (Shimmon, 2010). They can be sponsored by businesses, universities and voluntary groups. Sponsors are responsible for several things, for example teaching staff and ensuring quality and high educational standards (Roberts,

2017) Academies can be run by multi- academy trusts, they usually run more than one academy and have a group of trustees (Roberts, 2017).

The Academies Act 2010 links to my chosen case study as the case study states that Asif's school had recently converted into an Academy. An Academy is a publicly funded independent school and does not need to follow the national curriculum and they are able to set their own term times. They receive money directly from the Government and most are run by academy trusts (Gov. uk, 2017). An example of an Academy trust is the Academy Transformation Trust. The Academy Transformation Trust is a not for profit trust and they aim to provide excellent education for all pupils and to be able to support staff, so every child leaves their Academies with everything they need to reach their full potential (Trust, 2016). The Academies Act 2010 allows all maintained schools to apply to the Secretary of State so that they can become academies. They intend to improve all schools which have ratings of ' Outstanding' by Ofsted unless there is a good reason not to (Gov. uk, 2010).

Asif's Academy could always go back to trustees like the Academy Transformation Trust to ensure they have good quality education that pupils can benefit from, they could also access their 24/7 support help line whenever they need assistance in anything. The Academies Act 2010 links to my chosen case study as Asif's school recently became an Academy due to the school failing in their last inspection. With academies the money provided from the Government must be spent on education so as Asif's school has converted into an Academy the staff or the head teacher can use that money to better their education for example by employing more staff

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who are more experienced or they can use that money to better the school and make it a safe learning environment. Since Asif has difficulty communicating he's showing signs of a speech and language delay so therefore he might have SEN, so his school should help him to get assessed by a professional to see if he has SEN. They should do this so then they could ask for extra support from the Government which would help benefit pupils like Asif.

Due to Asif's school 'failing' this could mean that Asif did not receive any support that he needed this may be because the school did not have enough funding to support Asif. This might have impacted Asif's education and made his condition worse as there was no support to help with his SEN & communication barrier. The school has now become an Academy therefore they will have more funding and can use this to offer Asif and other pupils a wide range of services like SEN teachers which will benefit pupils like Asif.

Another legislation that links to case study two is the Equality Act 2010. The Equality Act 2010 is a set of rules that covers all acts of discrimination. It protects people from discrimination whether they are at work, in school or wider society. This legislation replaced many other discrimination acts, this helped to make the law easier to understand (Gov. uk, 2015). Under this legislation there are nine protected characteristics which are, age, gender reassignment, disability, marriage and civil partnership, pregnancy and maternity, race, religion, sex and sexual reorientation (Human rights, 2018). This Act relates to education and schools as it ensures that pupils are not being discriminated against and that everyone is treated equally no matter what race or ethnicity etc. The Equality Act 2010 looks at how the school

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treats their pupils, it does not look at a relationship between pupils therefore it doesn't look at bullying by pupils. However, if a school does not do anything about bullying then it is unlawful discrimination (DofE, 2014).

The Equality Act 2010 links to Asif's case because he finds it difficult to communicate properly it could indicate that he may have a problem that has yet not been diagnosed. There could be a possibility that he may have a speech and language delay which is classed as a SEN. However, it could also be that as his dad does not speak English they may be speaking in a different language at home so English may not be his first language. The school can give him additional support by taking him to get assessed, organising a speech and language therapy or by providing him with a SEN teacher, this could all help him to better communicate with others.

Due to Asif having communication issues or a SEN there could be a possibility that he could be discriminated against. No teacher should discriminate against pupils like Asif who have any sort of disability, if he is being discriminated against it would be breaching the Equality Act 2010 (DofE, 2014). Asif's school needs to make sure that this does not happen and that he is not left out during tasks. He needs to be treated equally just like everyone else is at school despite him having speech and language difficulties this does not make him any different to someone else. Every teacher has a responsibility to treat each pupil equally and to provide support where needed, so Asif might need a SEN team that could support him to communicate effectively.

The Equality Act 2010 says that you must treat a disabled person more favourably than a non-disabled person and that you should change your practices to help benefit them (DofE, 2014). Due to Asif's school 'failing' in their last inspection this may mean that Asif was not supported properly and his school may not have had the resources to support him in the best way possible, or it could mean that Asif's school did not focus on pupils like Asif who have language difficulties, they may have been more focused on their overall academic success.

The Education and Adoption Act 2016 was first introduced in the House of Commons on 3rd June 2015 and then became the law on 16th March 2016. This Act was made in order to improve education and adoption services, it allows the Government to intervene in schools that are falling or coasting (Government association, 2016). Secondary schools would be defined as coasting if fewer than 60% of pupils achieved 5 A*-C GCSEs and if the school progress 8 is below -0.25. Primary schools would be defined as coasting if fewer than 85% of pupils met the expected standard at the end of Year 6 (Whittaker, 2017).

The Education and Adoption Act 2016 suggests that if a school is found to be inadequate which Asif's school has been by Ofsted it must convert to an Academy (Burns, 2015). Nicky Morgan who was an Education Secretary said it is necessary for failing schools to convert to an Academy as it would help them to improve their performance and schools would perform better since they are being sponsored by institutions who give them direction (Burns, 2015). This legislation allows the Government to intervene and allow

authorities to decide work to be carried out by another organisation. (Government association, 2016).

This Act links to my chosen case study because the case study suggests that Asif's school had recently changed to an academy, since it was deemed as failing in their last inspection. From the research that I have gathered, converting into an Academy would be quite beneficial for Asif's school as it would help to improve their overall performance and whenever they would like assistance they could always go back to their sponsors or the Government. With Asif's school becoming an Academy it could also benefit Asif and his family as they could now access more support for him and encourage the Academy to help improve Asif's communication.

There are three main barriers that affect Asif's education day to day. One of the barriers is the language barrier. Asif's dad does not speak English at home therefore this indicates that English may not be his first language, so Asif would be placed under the EAL which is English as an additional language. As Asif's dad does not speak any English Asif might not be practicing the language at home so that could also be a reason as to why he cannot communicate effectively at school. Due to Asif having EAL he could also be classed as having an SEN as he has difficulty communicating with others which indicates that he possibly could have a speech and language delay. For Asif it is very difficult for him to communicate with his teachers and peers therefore his school should try their best to support him in every way possible.

For teachers to break Asif's language barrier they need to provide support like extra sessions after school with specially trained teachers or as research has shown that schools should have an EAL unit or they could have a six-week intensive English course which would benefit pupils like Asif a lot (Morrison, 2014). During after school sessions teachers could also involve other pupils so that Asif can build on his communicate skills more effectively and so he becomes used to speaking in English with his friends. Teachers could also involve SEN teachers or a speech and language therapist to support Asif. With the help of such professionals it means that Asif is being supported throughout his education and is being encouraged to communicate with others appropriately.

Another barrier that affects Asif's education day to day is the fact that he attends a multi-cultural academy. As he attends a multi-cultural academy it means that he's around different students from different cultures and ethnicities who probably speak in their first language which may not be English. Therefore, he's exposed to different languages. He may be friends with people who speak the same language as him as he might feel more comfortable around them. At break and lunch, the pupils may not be speaking in English this then delays Asif's learning process as he is used to people not speaking in English, so he thinks that speaking in his first language is okay.

To break this barrier, staff need to encourage pupils to communicate with each other in English or they should try and organise activities that could help pupils to speak in English. By doing activities pupils will then start to pick up on the words quicker. Due to Asif's parents not speaking in English

he cannot practice it at home as it's not his first language, whereas if he's at school his teachers and peers should encourage him to speak in English. So, his communication would be improved, and he will be used to speaking in English. Teachers could try and encourage Asif's mum to speak to him in English at home or to do activities and read books to him before bed so that he understands that speaking in English is the norm.

A further barrier that affects Asif's education is that his school was failing in their last inspection. Prior to becoming an Academy Asif's school was failing, this may have been because children like Asif who have a SEN, or a disability were not given the extra support that they were required. As his school was failing Asif was probably not provided with extra support to help with his SEN this therefore may have deteriorated his condition and may be the reason as to why he has difficulties to communicate effectively.

It is important that parents and professionals communicate effectively with each other in order to support the individual who is suffering from a SEN or a disability. Professionals like teachers, speech and language therapists and SEN teachers need to keep in partnership with parents as it benefits the overall development of the child. For example, with Asif all professionals involved need to maintain a good relationship with his parents because then they can provide him and his family with extra support that they require. Professionals could suggest to the parents that they should speak in English at home more often and that they should read books to Asif every day before bed so that his communication skills improve, and he feels more confident in speaking in English. Professionals like teachers need to also consider the things the parent might say or do, they need to keep in contact with Asif's

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parents and try to communicate with them effectively. This will be hard as Asif's dad does not speak any English, so it would be harder to engage with him. However, the school can arrange an interpreter for Asif's dad, so he understands what is going on with Asif at school.

As Asif has trouble communicating there may be a possibility that he has a speech and language delay which comes under SEN. In order to support him he will need a SEN teacher and a speech and language therapist. Both professionals would need good partnership with Asif's parents as it gives each other the opportunity to know what is happening outside of school and inside of school. A SEN teacher would support Asif throughout his day at school and would help to ensure that Asif can reach his highest potential. With the help of a SEN teacher Asif will be given instructions on how to do things and how to better communicate with others, this will eventually help him to speak in English. Asif's SEN teacher would also keep a record of Asif's development so that they can see how much he has improved. SEN teachers need to work in partnership with Asif's parents so then they can discuss any further treatment Asif might need for example a speech and language therapist.

With the help of a therapist the speech and language therapist will teach Asif how to better communicate with others. This will involve the therapist doing things like playing games, voice repetition and other activities that would help Asif to better communicate (Crenshaw, 2015). Speech and language therapist will need to stay in partnership with parents so that they both can discuss improvements that Asif is making or if Asif needs further assistance.

The therapist could also suggest to the parents on what activities they need to do that would help benefit Asif.

Asif's case links to social constructivism in many ways. Social constructivism emphasises that knowledge is created by learners through social interaction (Pritchard, Woollard, 2010). Many psychologists have written about social constructivism and the learning theory for example Lev Vygotsky. In Vygotsky's work there are three major points towards the understanding of the stages involved in learning. One of the points is that certain tools affect the way in which the individual's learning progresses. Such tools include language, culture and other people (Pritchard, Woollard, 2010). Linking this to Asif's case his culture could be a factor that affects his learning progress. Asif finds it difficult to communicate with other people outside his home, his mother speaks English, but his father does not speak any English. Therefore, at home English might not be their first language so Asif might find it difficult to communicate with others who speak in English as he is not used to it.

Vygotsky believed that language is a social concept that should be developed through social interaction. Asif needs a lot more social interaction, he needs to be around people who speak a lot more English than his parents, this will eventually help him to communicate effectively.

Vygotsky also mentions how scaffolding could help a child's learning process. Scaffolding is when a ' helper' has the potential to give something which is likely to help someone gain more knowledge and build their learning process (Pritchard, Woollard, 2010). Scaffolding helps to support the learner, so they can achieve a greater level of development. So, with Asif his school could arrange after school sessions as they would be quite beneficial to him, his

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tutor can organise activities that would help to improve his English and communication. Research has shown that pupils who learn through scaffolding are much more interested and focused (Pritchard, Woollard, 2010).

Vygotsky also mentions the “ Zone of proximal development”. The zone of proximal development is when a learner needs appropriate support to show greater levels of development. Vygotsky mentions that support from teachers, parents and peers could help an individual to extend their learning (Pritchard, Woollard, 2010). So, linking this to Asif’s case, his parents or tutors in school can provide educational activities that would help him to better communicate with others around him. This indicates that some children do need extra support to achieve higher in school. With extra assistance children are then able to pick up on the information quicker and can learn from it.

Overall Asif would need help from different professionals like SEN teachers and speech and language therapists but most importantly he would need support from his parents. They would actively need to take part in his learning in order to support him and make him feel more confident. Asif’s parents need to start speaking to him in English more often so that he begins to get used to it. Asif may have SEN, so teachers need to make sure that Asif isn’t left out during activities and that he is not being discriminated against as this will be breaching the Equality Act 2010. His school has now become an Academy this means that Asif school would now be getting a lot more funding from the government, so they now can use that funding to improve

the school and provide people like Asif with resources that would help benefit them.

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