



2 Part two: Why inclusive communication is everyone's responsibility

Enabling decision-making by children and young people
with speech, language and communication needs
– a four part practice guide

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About this practice guide

This is the second part of a four-part practice guide that offers guidance, tips and practice pointers for anyone seeking to actively involve a child or young person with speech, language and communication needs (SLCN) in making decisions about their lives.

The four parts are:

- > **Part one: Understanding the experiences of children with speech, language and communication needs**
- > **Part two: Why inclusive communication is everyone's responsibility**
- > **Part three: Strengthening your listening mindset**
- > **Part four: Working creatively with individual children**

The guide's primary focus is on helping practitioners to make sure that the voices of children and young people with SLCN are heard within assessment and review processes. It will therefore be of particular interest to social workers, independent reviewing officers, early help practitioners, SENCOs (special educational needs coordinators), special educational needs (SEN) caseworkers and children's advocates.

Part two focuses on why inclusive communication matters – in particular, why it's a mainstream responsibility for all practitioners and not the province only of specialists. It discusses the potentially lifelong consequences of not listening to children with SLCN and summarises the duties to involve children with SLCN in decision-making as set out in legislation, statutory guidance and practice frameworks.

We have deliberately chosen generic examples of creative practice (see Part four: *Working creatively with individual children*) to ensure that the guide is relevant to a wider audience also. Examples are presented alongside a set of core principles (see Part three: *Strengthening your listening mindset*) for undertaking inclusive assessments and reviews with children and young people with SLCN. These principles can be applied by practitioners working in all settings.

How to use this guide

We strongly recommend that you read all four parts of this practice guide in sequence. This will enable you to reflect on your own views and experiences and to think about the contextual landscape for children with SLCN before moving on to consider the range of ideas and tools for creative communication that are described in Part four. The guide includes reflective questions and exercises throughout.

The guide can support individual continuous professional development (CPD) and structured CPD within teams and organisations – for example, by asking practitioners to read each part and then participate in a reflective discussion session. Social workers can also write up their reflections to help provide evidence for Social Work England's **Professional Standard 4: Maintaining my CPD**.

Note on terminology

Throughout the practice guide, we refer sometimes to 'children' and sometimes to 'children and young people'. No distinction is intended. Unless otherwise specified, all references to 'children' with SLCN include children and young people also. To maintain readability and conciseness, we don't use the full phrase 'children and young people' in every instance.

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Part two: Why inclusive communication is everyone's responsibility

Key points

- > Speech, language and communication needs (SLCN) affect one in ten children. This makes communicating with this group of children a mainstream responsibility of **all** practitioners.
- > Children with SLCN are known to be at higher risk of harm and exposure to multiple forms of disadvantage than most of their peers.
- > Children and young people with SLCN have the same legal rights to be seen and heard and to participate in decision-making as all other children.
- > Many children with SLCN rely on forms of augmentative and alternative communication (AAC) that supplement or replace speech.
- > Not listening to or failing to hear children with SLCN can have adverse implications for both their current and future quality of life.
- > Denying any child the opportunity to develop life skills in decision-making can have negative implications for their future independence.

Large numbers of children are affected by speech, language and communication difficulties. This makes communicating and engaging with this group of children very much a mainstream issue. In other words, it should **not** be seen as the province only of specialists or as requiring specific training on communication (Munro, 2011a, p. 89; 2011b, pp. 43–44), although training can of course help to promote awareness and good practice.

Most, if not all, practitioners will have children with known or undiagnosed speech, language and communication needs (SLCN) among those they are working to support. So it's essential that practitioners feel confident in how they communicate with children with SLCN and understand also the importance of doing so.

Many practitioners feel insufficiently trained, skilled or experienced to communicate well with children with SLCN or feel anxious about getting things wrong (Franklin, 2013; Franklin & Osborne, 2009; Taylor et al., 2016). Yet when asked, disabled children report that it is often the simple things that matter most. Children's messages for professionals are that they should be:

- > ready to adapt their own verbal language
- > receptive to all forms of communication
- > proactive
- > committed to establishing a relationship with the child and building trust
- > 'willing to learn' and prepared to 'give it a go' (Franklin, 2013; Franklin & Sloper, 2009; Martin, 2009).

Why we need to think beyond verbal communication

Communication, and access to communication, is a basic human right that is enshrined in law (see Box on following page). It is the means by which we express our feelings, thoughts and emotions, build and consolidate our relationships, and make choices and participate in society (I CAN, n.d.; Law et al., 2017, p. 5).

Communication can take many different forms, especially in our increasingly digital world. When working with children with SLCN, it's important to recognise how much we may tend to rely on verbal communication to understand each other. Remember also that communication is a complex two-way process: our messages are not only **sent** but must also be received and **understood** (Ellis & McClintock, 1990), so it's important to be aware of different factors that can influence our interactions.

- > Alongside the words we use, our body language, hand gestures and facial expressions, tone of voice and verbal utterances can all influence how our messages are interpreted and understood (Schramm, 1997).
- > Our age, gender, ethnicity and cultural background, the way we dress, our relationship to the other person and whether we're communicating face to face or online can also affect how our communication is received by the other person (Thompson, 2018).

For children with SLCN, these subtle and often unconscious aspects of communication can significantly impact their ability to communicate. For example, cerebral palsy commonly affects children's ability to modulate their tone of voice in order to emphasise meaning or their ability to produce speech at sufficient speed to keep up with conversations. And children with a learning disability or autism may find it hard to make sense of what others are saying or understand rules of communication, such as turn-taking in conversation.

Some children with SLCN use little or no speech at all, and some will use augmentative and alternative communication (AAC) methods and resources to support or replace spoken communication. These include:

- > Makaton and other forms of sign language
- > paper or digital communication boards – e.g. Talking Mats or Picture Exchange Communication System (PECS)
- > communication aids that use digitalised or synthesised speech.

All these methods are explored in Part four *Working creatively with individual children* of this practice guide.

Some children use communication methods that are unique to them, such as a specific gesture or body movement or particular noises, the meaning of which may only be clear to a parent or carer who knows the child very well.

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Children with SLCN have the same rights to communicate as all children

Regardless of **how** they communicate, all children and young people have a number of rights (see Box below). These include the right to:

- > have their views heard and taken seriously
- > express themselves freely (freedom of expression)
- > information and support to help them express their views
- > dignity, independence and active participation in their community.

Existing guidance and legislation require the active involvement of all children in assessments and reviews of their care (see Box below). Good communication is essential for good practice; crucial for establishing relationships with children and their carers; and vital to ensuring the child's voice is heard.

However, the reality for many children and young people with SLCN is that they have routinely been excluded from decision-making and choice in their lives (Brady & Franklin, 2019; Franklin, 2013; Franklin & Knight, 2011; McNeilly et al., 2015; Tisdall, 2017). The evidence also indicates that it is often not that children lack the capacity or capability to participate; rather, children with SLCN routinely come up against barriers to being included. Barriers include:

- > limited or no access to communication aids
- > a shortage of interpreters (e.g. in British Sign Language or Makaton)
- > few people understand the child's communication method
- > the child's preferred style of communication method is not recognised
- > practitioners may not have (or may not allocate) sufficient time to build a trusting relationship and develop a mutual understanding of communication.

Duties to involve children and young people in decision-making

Children and young people with SLCN have the same rights to be seen and heard as other children. Their views should be at the heart of all practice relating to their care and protection, and every child's views should be given due weight in accordance with their age and maturity.

Duties to involve children and young people in decision-making are set out in legislation, statutory guidance, national practice frameworks and international conventions as summarised below.

Legislation

- > **Children Act 1989** places a duty on local authorities to ascertain and give consideration to a child's wishes and feelings when deciding what support to provide to children in need (**section 17**) and before making decisions about action to be taken to protect a child (**section 47**) during court proceedings.
- > **Equality Act 2010** places a duty on public authorities (the public sector equality duty) to have due regard to the need to 'eliminate discrimination' and 'advance equality of opportunity' (**section 149**). This includes when identifying needs and risks faced by individual children, and within assessments. The Act also places a duty on public bodies, including local authorities, to make 'reasonable adjustments' in the provision of services to ensure disabled people have the same access as non-disabled people (**section 20**); this includes providing auxiliary aids for communication, for example.
- > **Children Act 2004** section 53 amended sections 17 and 47 of the *Children Act 1989* by extending the duty on local authorities to ascertain and give due consideration to children's wishes and feelings at earlier stages of social work intervention – i.e. during child in need assessments and child protection enquiries, not just court proceedings.
- > **Children and Families Act 2014** requires local authorities to have regard to the 'views, wishes and feelings' of children with special educational need and disabilities (SEND) and to provide whatever 'information and support' is necessary to enable their participation (**section 19**). The Act also places a duty on authorities to develop a single education, health and care plan (EHCP)¹ for children whose needs cannot be met through SEN support² alone (**section 37**); the expectation is that all children and young people will be involved in the development and review of their EHCP, using advocacy or mediation if necessary
- > **Children and Social Work Act 2017** seeks to improve support for children in care and care leavers and to promote the welfare and safeguarding of children. Local authorities must have regard to the need to 'encourage' children and young people in or leaving care 'to express their views, wishes and feelings'; and these should be taken into account in decision-making (**section 1**).
- > **Mental Capacity Act 2005** seeks to protect the rights of adults and young people over 16 who lack capacity to make particular decisions in their lives. This includes those who have learning and communication disabilities and/or are living with an acquired brain injury. The Act starts from the premise that a person 'must be assumed to have capacity' to make a decision, unless it is established that he/she lacks capacity; anyone acting on behalf of someone who lacks capacity must ensure that all decisions made are in that person's best interests (**section 1**).

1 A local authority may issue an EHCP for a pupil who needs more help than is available through SEN support. An EHCP will set out long-term outcomes for the child and specify the provision required to deliver them. This will follow a statutory assessment that considers the pupil's special educational needs and any relevant health and social care needs.

2 SEN support is for pupils with a learning difficulty or disability who need extra help beyond what is usually provided to other pupils through the curriculum; a pupil receiving SEN support will not have an EHCP.

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Statutory guidance

- > **Working Together to Safeguard Children** (HM Government, 2023) is the statutory guidance on multi-agency working to protect children and promote their welfare; it emphasises the importance of a child-centred approach that takes children's views seriously and enables children with communication difficulties to make their wishes and feelings clear (pp. 11–12).
- > **Children's Social Care National Framework** is statutory guidance setting out the purpose of children's social care, the principles for supporting children and families and the 'enablers' that make the system effective (Department for Education, 2023). Children's 'wishes and feelings' should be 'sought, heard and responded to' at 'every stage of support' (p. 14), and local practice should be sufficiently 'flexible and adaptive' to hear children who 'cannot communicate verbally or prefer other means of communication' (p. 30).

UN Conventions

Children and young people with speech, language and communication needs have rights – both as children, and as disabled people – to be involved in matters affecting their lives.

- > **UN Convention on the Rights of the Child** (UN, 1989): Article 12 stipulates that every child who is capable of forming his or her own views has the right to express those views and have them taken seriously in all matters affecting the child.
- > **UN Convention on the Rights of Persons with Disabilities** (UN, 2006): Article 7 stipulates that children with disabilities have the right to express their views on all matters affecting them, and that due weight is given to those views in accordance with the child's age and maturity and 'on an equal basis with other children'. Children should also be provided with 'disability and age-appropriate assistance to realize that right'.

The cost of not listening

Not listening to children and young people with SLCN has implications – both for the child’s quality of life here and now and for outcomes in later life. Denying any child the experience of being listened to or the opportunity to develop important life skills in choosing and decision-making can have negative implications for their future independence.

Given that children with SLCN are known to be at higher risk of harm and exposure to multiple forms of disadvantage than most of their peers (Ene et al., 2019; Jones et al., 2012; Sullivan & Knutson, 2000), the need to be listened to and held at the centre of decisions about their life is crucial.

All practitioners involved in any type of assessment or review concerning children with SLCN have a vital role to play in ensuring that this happens. Yet research on disclosure of abuse has shown that adults often ignore or fail to recognise what children are telling them or conveying through body language or behaviour (Allnock & Miller, 2013; Taylor et al., 2015). Serious case reviews and child safeguarding practice reviews have repeatedly highlighted missed opportunities for listening to disabled children and young people (Child Safeguarding Practice Review Panel & Council for Disabled Children, 2022, 2023; Jay et al., 2022).

If practitioners aren’t attuned to the views and concerns of children with SLCN, this is highly likely to have a disproportionate impact on those children’s later life chances because of the other challenges they commonly face. For example:

- > Children from Black and ethnic minoritised backgrounds for whom English is a second language are twice as likely to develop SLCN in their early years than other groups of children (Ene et al., 2019). This higher risk of SLCN, combined with cultural difficulties accessing the school curriculum and other instances of structural racism, helps account for lower levels of educational attainment and increased risk of becoming involved in offending among this group (Snow, 2019).
- > Recent research by Ene et al. (2019) demonstrates the cumulative effect that multiple forms of disadvantage (e.g. male gender, being born pre-term, living in a deprived area) can have on children’s risk of developing SLCN.

When overlaid with practitioners’ tendency to misinterpret ‘poor’ behaviour (I CAN, n.d.), it is easy to see how this combination of factors can have an adverse affect on these children’s later life chances – as reflected in the high proportion of young offenders with undiagnosed language impairments (Anderson et al., 2016).



Reflective questions

- > Do you always think of communication as taking multiple forms? What different methods have you tried to help you communicate with children with SLCN in the past?
- > Of those methods you’ve tried in the past, which worked well – and which didn’t work so well?
- > What steps can you take to expand your skills or adapt your approach so that you can communicate more effectively with children with SLCN in the future?

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