

SEND Review: Right Support, Right Place, Right Time

Introduction and background

In 2020-21, 15.8 per cent of pupils in England were identified with Special Educational Needs (SEN). A total of 12.2 per cent were identified as needing SEN support, and a further 3.7 per cent had an Education, Health and Care Plan, meaning that they received a higher level of support and funding. For pupils on SEN support, the most common need was Speech, Language, and Communication needs at primary level – at secondary level it was Social, Emotional and Mental Health (SEMH). For pupils with an EHC plan, the most common primary need was Autistic Spectrum disorder.

In spite of the reform of SEND provision in 2014, the government is aware that the system faces ongoing challenges. It commissioned the SEND Review to better understand these challenges and determine what action it would take to establish a system that consistently delivers for children and young people with SEND. It invites stakeholders' views on the proposals in this paper – the [consultation](#) will run until 1st July. The summary below outlines 3 key challenges within the current system and the proposals for addressing these challenges.

Key points

Challenges facing the system

- Children and young people with SEN have consistently worse outcomes than their peers across every measure. They have poorer attendance and poorer outcomes - just 22 per cent reach the expected standard in reading, writing, and maths. They have fewer opportunities in later life, are at greater risk of several harms, and are more likely to become victims of crime.
- Too many families find the SEND system bureaucratic and adversarial. Many do not feel confident that local mainstream schools can meet their child's needs, and they are frustrated with the difficulties and delays they face in securing support for their child. They must navigate multiple services and assessments. These difficulties often mean that support is not provided until families reach crisis point.
- Parents and carers of children in alternative provision often have little choice over whether their child ends up in these specialist settings, and little say about whether the support and education being provided meets their child's needs.
- Parental dissatisfaction is reflected in the year-on-year increase in appeals to SEND tribunals. There were 8,600 registered appeals in 2020-21.
- Despite an unprecedented level of investment in high needs funding (revenue funding increased by more than 40 per cent between 2019-20 and 2022-23), spending is still outstripping funding. Two-thirds of local authorities have deficits in their dedicated schools grant (DSG) budgets because of high needs cost pressures.
- Although future funding will need to take account of the increasing prevalence of children and young people with the most complex needs, this needs to be balanced with targeting spending more at strengthening early intervention. Investment cannot continue to rise at the current rate, particularly since it is not matched by improved outcomes.
- High needs spending on alternative provision is increasing. Inconsistency in placements leads to unpredictable funding which limits the ability of alternative provision settings to plan and invest in services.
- Inconsistency in how children and young people's needs are met is most prominent at school level, with the school that a child attends accounting for more than half the chance of the child being identified with special educational needs. Rates of EHCPs also vary significantly: 5.5 per cent of all pupils in Torbay have an EHCP compared with 1.7 per cent in Nottinghamshire.
- The Review has identified a vicious cycle of late intervention, low confidence from parents, carers and providers, and inefficient allocation of support which is driving the spiralling costs in the system. Having lost confidence in the system, parents, carers, and providers feel they have no choice but to seek EHCPs.
- Increased numbers of EHCPs mean that more financial resource and workforce capacity is pulled to the specialist end of the system, meaning that there is less for early intervention and support in mainstream settings.

Turning the vicious cycle into a virtuous one

- In an effective and sustainable SEND system which delivers positive outcomes, children and young people would be able to access the support they need without the need for an EHCP or a specialist or alternative provision place. This is because their needs would be identified promptly, and appropriate support would be put in place at the earliest opportunity. Children and young people who required an EHCP or specialist



placement would be able to access it with minimal bureaucracy, and there would be greater national consistency. The proposed measures outlined below aim to build such a system.

education by introducing Common Transfer Files alongside piloting the roll out of adjustment passports to ensure young people with SEND are prepared for employment and higher education.

A single national SEND and alternative provision system

- The government will establish a new national SEND and alternative provision system with national standards for how needs are identified and met at every stage of a child's journey across education, health and care. The SEND Code of Practice will be reviewed and updated in line with the new national standards to promote national consistency.
- New local SEND partnerships will bring together education (including alternative provision), health and care partners with local government and other partners to produce a local inclusion plan setting out how each local area will meet the national standards.
- The government will introduce a standardised and digitised EHCP process and template to minimise bureaucracy and deliver consistency.
- The government will support parents and carers to express an informed preference for a suitable placement by providing a tailored list of settings, drawn from the local inclusion plan, including mainstream, specialist and independent, that are appropriate to meet the child or young person's needs.
- The redress process will be streamlined, making it easier to resolve disputes earlier, including through mandatory mediation. The tribunal will be maintained for the most challenging cases.

Excellent provision from early years to adulthood

- The government undertakes to increase its total investment in schools' budgets by £7 billion by 2024-25, compared to 2021-22, including an additional £1 billion in 2022-23 alone for children and young people with complex needs.
- There will be a consultation on the introduction of a new SENCo National Professional Qualification (NPQ) for school SENCos. The number of staff with an accredited Level 3 SENCo qualification in early years settings will be increased.
- The government will commission analysis to better understand the support that children and young people with SEND need from the health workforce so that there is a clear focus on SEND in health workforce planning.
- Building on the Schools White Paper, mainstream provision will be improved through excellent teacher training and development and a 'what works' evidence programme to identify and share best practice, including in early intervention.
- The government will fund more than 10,000 additional respite placements through an investment of £30 million. It will also invest £82 million to create a network of family hubs, so that more children, young people, and their families can access wraparound support.
- Over the next 3 years, there will be £2.6 billion of investment to deliver new places and improve existing provision for children and young people with SEND or who require alternative provision. The government will deliver more special and alternative provision free schools in addition to more than 60 already planned.
- There will be an investment of £18 million over the next 3 years to strengthen the Supported Internships Programme and improve transitions at further

Reforming alternative provision

- The government will give alternative provision schools the funding stability to deliver a service focused on early intervention by requiring local authorities to create and distribute an alternative provision-specific budget. It will build system capacity to deliver the vision through plans for all alternative provision schools to be in a strong multi-academy trust or have plans to join or form one.
- There will be a new performance framework for alternative provision which sets robust standards focused on progress, re-integration into mainstream education or sustainable post-16 destinations. The government will deliver greater oversight and transparency of pupil movements including placements into and out of alternative provision. There will be a call for evidence on the use of unregistered provision.

System roles, accountability, and funding reform

- The government will deliver greater clarity - every partner across education, health, care, and local government will have a clear role, and will be equipped with the levers to fulfil their responsibilities.
- The DfE's new Regions Group will be equipped to take responsibility for holding local authorities and MATs to account for delivering for children and young people with SEND locally through new funding agreements between local government and DfE.
- There will be statutory guidance for Integrated Care Boards (ICBs) setting out clearly how statutory responsibilities for SEND should be discharged.
- There will be new inclusion dashboards for 0-25 provision, offering a clear picture of how the system is performing at a local and national level across education, health and care.
- The government will introduce a new national framework of banding and price tariffs for funding, matched to levels of need and types of education. It will also work with Ofsted and the Care Quality Commission (CQC) on their plan to deliver an updated Local Area SEND Inspection Framework.

Delivering change for children and families

- The government will support local authorities with the biggest deficits by investing an additional £300 million through the Safety Valve Programme and £85 million in the Delivering Better Value programme, over the next 3 years.
- The SEND and Alternative Provision Directorate within DfE will be tasked to work with system leaders to develop the national SEND standards. There will be £70 million to both test and refine key proposals and support local SEND systems to manage local improvement.
- Following a consultation on this green paper, the government will publish a national SEND and alternative provision delivery plan. There will be a new National SEND Delivery Board which will hold delivery partners to account for the implementation of the proposals.

The full document can be downloaded from:

<https://www.gov.uk/government/consultations/send-review-right-support-right-place-right-time>