Labour Party SEN Review
A submission from the special educational consortium

SEC has warmly welcomed the Department for Education’s request that Ofsted and the Care Quality Commission inspect how effectively local areas fulfil their new responsibilities. In particular SEC welcomes:

- The proposal to inspect a local area as a whole, rather than just local authority functions;
- The emphasis on gathering the views of children, young people and families during the inspection process; and
- The focus on how well a local area identifies, meet the needs, and delivers excellent outcomes for disabled children and young people and those who have SEN.

The transitional arrangements for children and young people moving from statements to EHC plans have placed too much pressure on local authorities. SEC continues to be presented with evidence that the timescales for transferring children and young people to EHC plans is putting quality and entitlement at risk. Children and young people with a statement of SEN are entitled to a full EHC needs assessment when they are transferred, yet we know this is not happening in many cases. This has led to many statements being transferred to EHC plans without a person centred approach being taken, without the full engagement of health and social care, and with a ‘copy and paste’ approach to provision.

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Since the reforms were first set out there has been a significant reduction in numbers of children and young people identified as having SEN.

There is very little evidence to explain this fall in numbers, or indeed about the implementation of SEN support in schools and colleges more generally (SEN Support replaced School Action and School Action Plus). The only hard evidence we have is the worrying drop in the numbers of pupils identified as having SEN from around 20% in 2011 to 15.4% in 2015. SEC urges the Department for Education to commission research into the implementation of this element of the reforms and to analyse the reason for the fall in numbers.

Introducing major changes to school and local authority funding could undermine implementation of the Children and Families Act

The Government is proposing huge changes to the way schools and local authorities are funded in relation to SEN. Many aspects of the SEND reforms are still developing: local authorities and clinicalcommissioning groups are still in the crucial stages of developing joint commissioning arrangements and integrated personal budgets; many of the implications of the legislation have not been fully tested in the courts and it is likely that judicial decisions
may have significant new cost implications for local authorities. All of these considerations mean that a major upheaval in the way SEN is funded could put a risk the successful implementation of these reforms.

**Understanding of how post-19 provision should be delivered remains problematic.** Our members tell us that there is a major gap in local areas’ understanding of how the reforms should be implemented for the 19-25 age group. SEC would welcome the opportunity to engage in further discussions in this area, including how young people undertaking apprenticeships should be supported and the arrangements for young people not in education, employment or training.

For more information please contact

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