

SEC Manifesto Asks

Introduction

The Special Educational Consortium (SEC) is a membership organisation which comes together to protect and promote the rights of disabled children and young people and those with special educational needs (SEN). We are a Consortium of 40 different organisations from voluntary and community sector, education providers, and professional associations. We believe that every child and young person is entitled to an education that allows them to fulfil their potential and achieve their aspirations. Recommendations we make to parliamentarians are based upon areas of consensus identified across our membership.

We have identified three main priorities:

1. Ensuring the education system is designed to be accountable for properly supporting disabled children and young people and those with SEN.
2. Guaranteeing a long-term funding strategy to account for the additional costs of SEN and Disabilities, including strong investment in the education and specialist workforce.
3. Ensuring the education system listens to, respects, and meaningfully incorporates the voice of disabled children and young people and children and young people with special educational needs, as well as their families, in the making of national policy and the implementation of individual special education provision.

Context is provided behind each of the three priorities and our asks are laid out in the pages below.

SEC is supported by:

Afasic | Ambitious about Autism | Association of Colleges | Association of Educational Psychologists | British Dyslexia Association | Centre for Studies on Inclusive Education | Contact | Council for Disabled Children | Dingley's Promise | Disabled Children's Partnership | Down's Syndrome Association | Equals | Guide Dogs for the Blind | IASS network | IPSEA | Mencap National Association of Head Teachers (NAHT) | nasen | National Association of Schoolmasters Union of Women Teachers (NASUWT) | National Association of Independent Schools and Non-Maintained Special Schools (NASS) | National Autistic Society | National Children's Bureau | National Deaf Children's Society | National Development Team for Inclusion | National Education Union | National Network of Parent Carer Forums | Natspec Prospect | Royal National Institute of Blind People | Seashell Trust | SEND Community Alliance | SENDIASS | Sense Square Peg | Speech and Language UK | Thomas Pocklington Trust | UNISON | United Kingdom's Disabled People's Council | Young Epilepsy

Priority 1: Ensuring the education system is designed to be accountable for properly supporting disabled children and young people and those with special educational needs.

Disabled children and young people and those with SEN are being failed by the current system. They are not consistently receiving the special educational provision and wider support that they are entitled to by law¹.

Children and young people are losing vital educational opportunities, with long-term consequences for their all-round development, wellbeing, and social and emotional needs.

For the education system to effectively support disabled children and young people and children and young people with SEN, the government must create an enabling environment for all practitioners to carry out their duties as stipulated by SEN and Disabilities legislation. This requires both adequate resourcing and training but, at a wider level, a cultural shift away from an education system that predominantly measures success by exam results. It is a long-term process that requires systemic change and places children and young people at the centre.

Resolving the SEN and Disabilities crisis first and foremost involves putting in place the resources and access to specialist services required. That way schools and local authorities (LAs) have the tools they need to comply with the law and fulfil their duties to children and young people.

To ensure the system is accountable, the next government must commit to the right educational policies for inclusion and put in place adequate resourcing for LAs, schools, and settings to support disabled children and young people and those with SEN (see [priority 2](#) for a more detailed breakdown on funding asks).

For disabled children and young people and children and young people with SEN to have their legal rights to an education that meets their needs protected, the government must:

- Once resourcing and support is in place, set out robust and effective accountability measures for LAs, preventing non-compliance with the law on supporting disabled children and young people and those with SEN.
- Design wider accountability methods within schools and settings that champion and encourage inclusion. It should not fall to some schools to be inclusive while other schools continue to operate exclusive practices.
- Make families' experience of securing special educational provision and support for their child easier and less adversarial.

¹ Tribunal Statistics Quarterly: January to March 2022. DfE. [[Link](#)]

- Ensure all children and young people get the support they need without the only recourse for families and children and young people to get their needs met going to Tribunal.
- Strengthen Ofsted inspections criteria so only education settings (from early years to post-16), that have had their SEN and Disabilities provision rated as 'good' or 'outstanding', to receive an overall rating of 'good' or 'outstanding'.
- Enable Local Government and Social Care Ombudsman to investigate complaints about SEN and Disabilities provision in schools.
- Place a duty on the LA to analyse the supply and demand of provision for children and young people with SEN and Disabilities in their Childcare Sufficiency Assessment.
- Place a duty on LAs to publish their analyses of supply and demand of places for young people with SEN and Disabilities post-16.

[See appendix 1 for further context](#)

Priority 2: Guaranteeing a long-term funding strategy to account for the additional costs of SEN and disability, including strong investment in the education and specialist workforce.

Ensuring a long-term funding strategy is key to identifying and meeting needs at the earliest possible point. The current funding in place is not designed to do this, resulting in children and young people not getting the support in education that they need.

While the Autumn statement of 2022² committed significant additional funding for schools' budgets, the real terms spend per pupil is at approximately 2010 levels³.

Diminished funding in LAs and education institutions has led to an erosion of LA support, a loss of specialism in attendance, and a significant reduction in early preventative work. This has resulted in high costs further down the line for statutory provision.

The education sector and wider LA specialist workforce is facing an unprecedented recruitment and retention crisis. Children and young people and education professionals therefore do not have readily available access to specialist support necessary for early identification of need and timely intervention.

Therefore, we urge the next government to commit to a long-term funding strategy by:

- Ensuring the Dedicated Schools Grant, the National Funding Formulas, and post-16 disadvantage blocks adequately meet the needs of all children and young people through early years settings to post-16 provision.
- Writing off high needs budget deficits.

² Autumn Statement 2022. Gov.uk. [\[Link\]](#)

³ Autumn Statement 2022 response. IFS. [\[Link\]](#)

- Increasing high needs or otherwise ringfenced funding to ensure LAs have sufficient funds to:
 - Provide LA services offering specialist advice, support and training to education settings and families.
 - Allow for early identification, intervention and preventative support for children and young people who need it.
 - Promote high quality inclusive practice.
 - Fully meet their statutory duties in a fair and equitable way.
- Further exploring a means of recognising disability and low incidence needs in the funding formulae.
- Funding high quality training to support students with diverse needs at Initial Teacher Training stage and through CPD for all education staff – not just SENCOs.
- Funding training of key specialists required to support disabled pupils and those with SEN, their families and the professionals working with them, such as educational psychologists, speech and language therapists and occupational therapists, ensuring sufficiency within the workforce.
- Establishing national guidance for the application procedure and use of early years SENIF (SEN Inclusion Fund) and cease to use the Disability Living Allowance as the way to access Disability Access Fund, so that funding can get to children in the early years as quickly as possible.
- Ensuring SEN support funding is extended to young people over 16 with a dedicated funding mechanism comparable to that for pre-16 children.
- Increasing social care and health budgets (particularly CAMHS) to help ensure that high needs funding is reserved for educational support.
- Improve coordination between education, health, and care to reduce disputes over funding different elements of EHCP provision.

[See appendix 2 for further context.](#)

Priority 3: Ensuring that the education system listens to, respects, and meaningfully incorporates the voice of disabled children and young people and children and young people with SEN, as well as their families, in the making of national policy and in the implementation of individual special education provision.

The voices of disabled children and young people and those with SEN, and their families, are too often dismissed, belittled, and distrusted. This leads families to navigate a system which is adversarial, disempowering and not fit for purpose, causing many to seek redress at tribunal for their voices to be listened to.

Disabled children and young people and children and young people with SEN, and their families are experts by experience and they are best placed to understand which SEN

exist and the provision required. Not acknowledging this means that many children are receiving provision which is inappropriate or inadequate.

The next government must commit to ensuring that the voices of children and young people and their families are heard, incorporated into policymaking and are at the heart of all decisions in the SEN and Disabilities system by:

- Enforcing current legislation which requires LAs to have regard to the views, wishes and feelings of the child and their parent, or the young person (Children and Families Act 2014 - Section 19)
- Ensuring any new government policies are coproduced with disabled children and young people and those with SEN, and their families.
- Resolutely establishing that the voice of children and young people and their families are experts by experience and thus should be respected and listened to.
- Making LAs build dynamic working relationships and engage in meaningful coproduction with children and young people and their families as they navigate every stage of the education system.
- Ensuring that the children and young people and their family are included, listened to and are given meaningful input in meetings and discussions with the LA, school and other relevant professionals regarding special educational needs and provision.
- Every LA must have a detailed Ordinarily Available Provision document for all stages of education from early years to post-16 that is widely shared with parents and carers, so they know what rights to core provision their children and young people and what they can advocate for.

[See appendix 3 for further context.](#)

Appendix 1: Ensuring the education system is accountable

Thousands of children and young people are without a school place that meets their needs, and disabled children and young people and those with SEN are disproportionately excluded from school. Almost 40% of persistently or severely absent children are identified as having SEN and Disabilities⁴. Only 18% of local authorities (LAs) believe they have sufficient provision for children with SEN and Disabilities in the early years⁵.

The current system works when parents enforce it. Resolving the SEN and Disabilities crisis involves making sure that all settings, schools, and LAs are adequately resourced and supported to comply with the law and fulfil their duties to children and young people. Currently, LAs routinely fail to comply with the law around managing transitions from school to college⁶. The burden on parents and carers to challenge unlawful local policy and practice is unacceptable and adds pressure to a family already managing disproportionate high needs care responsibilities.⁷

children and young people and their families bear the brunt of the long recourse to Tribunal and other measures to ensure they get the support that they need. This is what we mean by a lack of accountability.

Appendix 2: Guaranteeing a long-term funding strategy

In a report by the National Association of Headteachers, most school leaders (97%) reported funding for disabled pupils and those with SEN in their school was insufficient, and similar numbers (95%) reported top-up funding for pupils with EHCPs was insufficient.⁸

Research by the Early Years Alliance found that 92% of early years settings had needed to pay for support for children with SEN and Disabilities from their own funds due to the difficulties in accessing government funding⁹.

⁴ Pupil absence in schools in England: 2018 to 2019. DfE. [\[Link\]](#)

⁵ Childcare Survey. Coram. 2023 [\[Link\]](#)

⁶ Planning, commissioning, funding and supporting post-16 high needs students, LGA. 2020. [\[Link\]](#)

⁷ Failed & Forgotten Report. DCP. 2023 [\[Link\]](#)

⁸ A Failure to Invest. NAHT. 2021. [\[Link\]](#)

⁹ Too little, too late. EY Alliance. 2022. [\[Link\]](#)

There are specific concerns about funding for disabled students and those with SEN in Further Education (FE). Of the 64,000 students in FE who have an EHC plan only 31,000 receive High Needs Funding¹⁰. Any additional funding both for these students and for the very large number of students with additional needs and without EHC plans comes out of the college Disadvantage Fund. While being quite a generous fund, this money also has to cover supporting re-sits in English and maths GCSE, mental health support and several other areas of college support making it hard always to give sufficient support to all students.

These funding constraints also sit against a backdrop of lack of confidence across the profession. 46% of new teachers do not feel confident teaching disabled pupils and those with SEN, with only 73% of experienced teachers feeling confident being able to adapt their teaching to the needs of all pupils, including those with diverse needs.¹¹

This is at a time when the needs of children and young people are higher than they have ever been and early years settings, schools, and post-16 provisions are struggling to recruit and retain staff.

Appendix 3: Effective coproduction with children and young people with SEN and Disabilities and their families

The practical implementation of the SEN and Disabilities system frequently omits that disabled children and young people and those with SEN, and their families are experts by experience¹². Hence, they are best placed to understand which SEN exist and the provision required. Consequently, many children and young people are receiving provision which is inappropriate or inadequate.

It is vital that we resolve the lack of voice of disabled children and young people and children and young people with SEN, and their families in national policy making and local SEN and Disability implementation. This can be done through developing dynamic working relationships with children and young people and parents/carers which are built on equal respect and an understanding of the expertise of the children and young people's and family's voice.

¹⁰ AoC – Students with SEND in Further Education. Whole School SEND blog. 2021. [\[Link\]](#)

¹¹ Working Lives of Teachers and leaders wave 1 research report. DfE. 2023. [\[Link\]](#)

¹² Focus groups run by Contact on involvement of CYP and families in Delivering Better Value local areas