



David Johnston OBE MP
Minister for Children, Families and Wellbeing

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Robin Walker MP
Chair of the Education Select Committee

22 September 2023

Dear Robin,

Thank you for your letter of 19 September. I wanted to write straight away to address your query relating to recent media coverage of the Delivering Better Value in SEND programme. I will write again shortly in response to your other broader comments and questions.

The department is not imposing a 20% reduction in the number of children and young people with EHCPs. Our aim through the Delivering Better Value (DBV) contract is to support local areas as they work with their partners to improve SEND provision, so that children can receive the support that they need quickly and effectively, while putting the system on a more sustainable footing. The programme does so by providing diagnostic support to local authorities; identifying opportunities to improve services and meet children's needs better; and then providing funding to support the LAs' plans.

DBV's aims are well aligned with the direction of the broader SEND and Alternative Provision Improvement Plan which the Department published jointly with the Department for Health and Social Care in March this year. The primary aim of our reform plan is to put the needs of the child at the centre of a reformed system that gives them the support that they need at an earlier stage than some children currently get it. In achieving this, we would expect a reduced need for some children to receive an EHCP in order to receive the provision they require - indeed we said in our SEND and Alternative Provision Improvement Plan "by improving early identification and the quality of SEN Support, we expect to reduce the need for EHCPs because the needs of more children and young people will be met without them, through ordinarily available provision" - but we continue to guarantee every parent and family's existing legal right to an EHCP when one is needed.

I stress that a 20% - or any other percentage - reduction in new EHCPs issued is *not* a KPI that Newton Europe, our delivery partner for DBV, is working towards; nor a figure that the Department is working towards; nor a target that LAs have been asked to agree to. The 20% reduction figure

referred to in the contract with Newton Europe (which relates to *projected* EHCP growth rather than the current number of EHCPs) simply reflects an impact we might expect if the Delivering Better Value programme successfully enables schools and LAs to identify need early and provide the appropriate support without an EHCP being required. Another such impact referred to in the contract is a reduction in the rate of permanent exclusions of children and young people with SEND.

I can confirm that I have met with representatives of Newton Europe who emphatically confirmed to me that neither they, nor the LAs with whom they are partners, are working to this figure. Indeed, Newton Europe described to me that their whole approach is a 'bottom up' one, in which local authorities are asked to develop solutions that they think work for their local area. They have categorically assured me that at no stage have they asked any local authority to target a particular reduction in the future growth of EHCPs.

As you highlight, my predecessor, Rt Hon Claire Coutinho, gave evidence to your Committee on 23rd May this year, supported by Alison Ismail, Director for Special Educational Needs and Disabilities and Alternative Provision in the Department for Education. During this hearing, which focussed on the SEND and Alternative Provision Improvement Plan, Claire and Alison were both asked about our position regarding the number of EHCPs. They stated strongly that we were in no way targeting a specific reduction in EHCP numbers; rather, as Claire said, the intention is that we focus on improving outcomes for children and young people with SEND. Those statements were absolutely correct and consistent with the department's position. As an aside, it is worth noting that the Delivering Better Value contract began on 1st June 2022, before both Claire Coutinho was appointed the Minister for Children, Families and Wellbeing (October 2022) and Alison Ismail was appointed Director for Special Educational Needs and Disabilities (August 2022), and neither of them were party to the wording of the contract.

I would, of course, be happy to discuss this matter further; and I welcome your Committee's continuing support for our efforts to improve our support for children and young people with SEND.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'David Johnston', written in a cursive style.

David Johnston OBE MP
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