



House of Commons
Committee of Public Accounts

Support for children with special educational needs and disabilities

First Report of Session 2019–21

*Report, together with formal minutes relating
to the report*

*Ordered by the House of Commons
to be printed 29 April 2020*

The Committee of Public Accounts

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Summary

Many of the 1.3 million school-age children in England who have special educational needs and disabilities (SEND) are not getting the support that they need. This is a failure that damages their education, well-being and future life chances. Half of the local authority areas inspected are not supporting children and young people with SEND as well as they should, and the action plans these areas have put in place are not addressing their weaknesses quickly enough. The Department for Education (the Department) has not done enough to understand the reasons for significant disparities in children's identified needs and access to support—between girls and boys, different ethnic groups and different parts of the country. Education, health and care (EHC) plans have become a 'golden ticket' that parents fight for to secure access to adequate support for their children. Children with SEND but who do not have EHC plans risk missing out on the support they need, especially in mainstream schools that are under significant financial pressure. Parents still feel left out of decisions that affect their children, and they do not have full confidence in the system.

We remain to be convinced that the Department has sufficient grip on what needs to be done to tackle the growing pressures on the SEND system. In September 2019, the Department announced a major review of SEND provision, promising to improve services and address what it described as the 'postcode lottery' that children and families often face. The Department has given few details about the review and has not indicated when it will be completed. However, the weaknesses in support for children with SEND are already well known—what we expect from the Department now is concrete action to address these significant failings.

Introduction

A child or young person has special educational needs and disabilities (SEND) if they have a learning difficulty or disability which calls for special educational provision to be made for him or her. At January 2019, 1.3 million school-age children in total were recorded as having SEND. Of these, 270,800 pupils (20.6% of pupils with SEND) had legally enforceable entitlements to specific packages of support that are set out in formal education, health and care (EHC) plans. These were children whom local authorities had assessed as needing the most support. The remaining 1,041,500 children with SEND did not have EHC plans but had been identified as needing some additional support at school. At January 2019, 87.5% of pupils with SEND attended mainstream state primary and secondary schools.

The Department for Education (the Department) is accountable to Parliament for the support system and for securing value for money from the funding it provides (£9.4 billion in 2018–19) for schools in England to support pupils with SEND. Local authorities, working with other national and local bodies, have a statutory responsibility to ensure that children with SEND receive the support they need. In September 2014, under the Children and Families Act 2014, the government made substantial changes to how children with SEND are supported. Among the government's aims for the changes were that children's needs would be identified earlier, families would be more involved in decisions affecting them, and education, health and care services would be better integrated.

Conclusions and recommendations

1. **Many children with SEND are being failed by the support system.** Inspections of support for children and young people with SEND, jointly carried out by Ofsted and the Care Quality Commission (the CQC), have found that half of local authority areas (47 of the 94 areas inspected by the end of July 2019) have significant weaknesses. Mainstream primary and secondary schools are struggling to meet the needs of pupils with SEND and to cope with those who have challenging behaviour. In September 2019, the Department announced a review of support for children with SEND, with the aim of improving the services for families who need support, equipping staff in schools and colleges to respond effectively to their needs, and ending the ‘postcode lottery’ that children and families often face. The Department accepts that it has defined the outcomes it is expecting the system of support for children with SEND to achieve only in general terms, and that defining these more precisely is an important area of focus for its review.

Recommendation: *The Department should, as a matter of urgency, complete and publish its SEND review. The review should set out the actions that the Department and others will take to secure the necessary improvements in support for children with SEND, and the timescale within which families will see practical changes. We expect the Department to explain the evidence it has used to support its conclusions, and to set out what quantified goals it will use to measure success in the short, medium and long term.*

2. **There are significant unexplained disparities between different groups of children in the support they receive.** The Department acknowledges that, while some children are well supported, others are not. It is unable, however, to explain the wide variations between different demographic groups in the proportion of children identified as having SEND. Nearly twice as many boys than girls aged 5–17 have SEND—20.2% compared with 10.7%. The proportion of pupils with SEND also varies by ethnicity, from 8.0% of Chinese pupils to 15.5% of black pupils. The Department suspects there is under-identification of some special needs, for example of autism in girls. It told us that each local area’s school improvement team has received tailored data on local pupils with SEND, including information about ethnicity, which it expects local areas to use to understand and address disparities.

Recommendation: *The Department should use the data it already collects to develop a better, evidence-based understanding of why there is so much variation between different groups of children in identifying SEND. In particular, it should be able to explain why more boys than girls are identified with SEND, and whether needs are consistently identified in boys and girls, and in certain ethnic groups. The Department should publish the results of its analysis and details of the action it plans to take in response.*

3. **Too many pupils with SEND are excluded from school, meaning their education is disrupted.** Pupils with SEND are far more likely to be excluded from school than others—they accounted for 44.9% of permanent exclusions and 43.4% of fixed-period exclusions in 2017/18. In May 2019, the Timpson review of school exclusions concluded that vulnerable groups of children are more likely to be excluded and that more should be done to ensure that exclusion is used consistently and fairly. The

Government accepted the review's 30 recommendations in principle. Schools have the right to exclude pupils as a last resort. Nonetheless, the Department acknowledges that the level of exclusions of pupils with SEND is not acceptable. Good EHC plans, and early identification of special needs, can both result in fewer exclusions if they lead to children getting the right support at school. The Department reports that it is focusing on behaviour management and support in schools to reduce the number of exclusions.

Recommendation: *The Department should set out the steps it proposes to take to reduce the number of children with SEND who are permanently or temporarily excluded from school. In doing so, it should explain what action it will take in response to the recommendations in the Timpson review of school exclusions, and the reasoning for its decisions.*

4. **The Department relies too heavily on periodic inspection for assurance that children, particularly in mainstream schools, are being properly supported.** The Department relies on Ofsted inspections of individual schools to provide assurance about how well those schools are supporting children with SEND. However, the frequency with which Ofsted inspects schools depends heavily on its previous inspection rating, and some schools that were rated as outstanding at their last inspection have not been inspected for 10 years or more. In addition, short inspections of mainstream schools may not focus on the school's provision for pupils with SEND. Ofsted and the CQC also started joint inspections of local areas' support for children and young people with SEND in 2016. These local area inspections look at education, health and social care services for each local authority area as a whole. The Department considers that the difficult financial position of many local authorities and schools helps to explain why half of the local areas inspected are not meeting the expected standards. It is relying on Ofsted and the CQC revisiting local areas that have significant weaknesses, as a means of checking whether the quality of support has improved. Of the 18 local areas revisited, seven were found to be performing at the expected standard, meaning 11 had not improved enough.

Recommendation: *The Department should supplement inspection evidence by drawing on other information to get a rounded, timely assessment of the quality of support for children with SEND. This information should include, for example, intelligence from regional schools commissioners, parent carer forums, schools forums, and head teachers. To give parents confidence that the Department is drawing on all relevant information in carrying out its system oversight role, the Department should explain on its website what information it collects and how it uses it.*

5. **Mainstream schools have little financial incentive to be inclusive of pupils with SEND.** The way that funding is allocated to mainstream schools can act as a disincentive to enrolling pupils with SEND. Schools must cover the first £6,000 of extra support costs for each pupil with SEND from their core budgets. The Department has consulted on the appropriateness of the £6,000 threshold, but said that the responses were inconclusive. It highlights that it needs to avoid creating perverse incentives for schools to over-identify SEND, since this is neither appropriate for children's needs or conducive to value for money. Local authorities

can allocate additional funding to support genuinely inclusive mainstream schools with high numbers of pupils with SEND. However, in 2018–19, only 85 of 150 local authorities budgeted for additional support of this kind.

Recommendation: *The Department should work with schools and other stakeholders, and draw on good practice, to identify how funding mechanisms can be used more effectively to strike the right balance between incentivising schools to be inclusive without encouraging over-identification of SEND.*

6. **There are not enough state special school places in some parts of the country, meaning local authorities must cover the high cost of places in independent special schools and spend ever larger amounts on SEND transport.** Local authorities are increasingly using independent special schools that are significantly more costly than other provision, partly because of the lack of available places in state special schools. In addition, local authorities' spending on transport to take children with SEND to and from school has risen significantly, and was £102 million (18.4%) over budget in 2017–18. The Department forecasts that, by 2021, there will be 2,500 too few places in state special schools to meet demand. It accepts that more capacity to support children with high needs will have to be created, either by improving facilities in existing schools or by setting up new special free schools. The Department is looking to locate new special schools in the areas where they are most needed.

Recommendation: *The Department should carry out a systematic analysis of current and future demand for school places and facilities suitable for pupils with complex needs, and develop a costed plan for meeting those needs. In doing so, it should take account of potential savings in local authorities' transport costs in areas where children currently have to travel a long distance to attend special schools.*

1 The quality of support for children with SEND

1. On the basis of a report by the Comptroller and Auditor General, we took evidence from the Department for Education (the Department) about support for children with special educational needs and disabilities (SEND).¹ In September 2019, the previous Committee took evidence from: the Council for Disabled Children and the Special Educational Consortium; the Disabled Children’s Partnership and Sense; the National Network of Parent Carer Forums; and a parent carer and contributor to the Special Needs Jungle website.²

2. Children with SEND are among the most vulnerable in the school system. The quality of support they receive affects their well-being, educational attainment, likelihood of subsequent employment, and long-term life prospects. A child or young person has SEND if they have a significantly greater difficulty in learning than the majority of others of the same age, or a disability which prevents or hinders them from making use of facilities generally provided in mainstream schools, and which calls for special educational provision to be made for him or her.³ Children and young people with SEND have diverse needs of different levels of severity, and they may have more than one type of need. The most commonly identified needs are speech, language and communications needs (21.7% of pupils with SEND at January 2019) and moderate learning difficulties (20.4%).⁴

3. At January 2019, 1.3 million pupils in England (14.9% of all pupils) were recorded as having SEND. Of these, 270,800 pupils (20.6% of the total) needing the most support had legally enforceable entitlements to specific packages of support, set out in education, health and care (EHC) plans. The remaining 1,041,500 children with SEND (79.4% of the total) did not have EHC plans but had been identified as needing some additional support at school. At January 2019, 87.5% of pupils with SEND attended mainstream state primary and secondary schools, and most of the remainder attended state special schools.⁵

4. The Department is accountable to Parliament for the system of support and for securing value for money from the funding it provides (£9.4 billion in 2018–19) for schools in England to support pupils with SEND. Local authorities, working with other national and local bodies, have a statutory responsibility to ensure that children with SEND receive the support they need.⁶ In September 2014, under the Children and Families Act 2014, the government made substantial changes to how children with SEND are supported. Among the government’s aims for the changes were that children’s needs would be identified earlier, families would be more involved in decisions affecting them, and education, health and care services would be better integrated.⁷

1 C&AG’s Report, *Support for pupils with special educational needs and disabilities in England, Session 2017–19*, HC 2636, 5 September 2019

2 Committee of Public Accounts, Oral evidence, *Support for children with special educational needs and disabilities*, HC 2050, 30 September 2019

3 C&AG’s Report, paras 1, 4, 7

4 C&AG’s Report, para 1.6

5 C&AG’s Report, paras 1, 3, 1.7

6 C&AG’s Report, paras 4, 11

7 C&AG’s Report, para 5

The Department's review of support for children with SEND

5. In September 2019, the Department announced a review of how the system of support for children with SEND is operating nationally. The review aims to improve services for families who need support, equip staff in schools and colleges to respond effectively to their needs, and end the 'postcode lottery' often faced.⁸

6. The Department acknowledged that it was clear the SEND system was not working as well as it should. It said that the announcement of the review was evidence that it did not think the issues could be resolved at local level, and it wanted to review how the system of support was operating as a whole, five years after the 2014 reforms.⁹

7. The Department accepted that the outcomes it expected for children with SEND were generic and that it should make them clearer. It was looking at this issue but noted that it was challenging to quantify what would be an acceptable level of improvement and to establish how it could hold others to account for the outcomes achieved. Nevertheless, the Department emphasised that outcome measures were an important focus of its review of SEND provision.¹⁰

8. The Department told us it had recently published a feasibility study into carrying out a longitudinal survey of the outcomes achieved by children with SEND and the cost of providing support, which was something that had never been done before, anywhere in the world. Its feasibility study had suggested that this could be done, although it would be hard.¹¹

9. The Department also recognised that there were good data already available that it should be making use of. It told us that, as part of its review, it was also talking to parents about outcomes. It wanted to have high aspirations for children with SEND. Many would go on to get good GCSEs or go into higher education, but others would probably never reach that level of attainment so it wanted to understand what good-quality provision would look like for them. It wanted to make sure that children were safe, happy and enjoying their lives, and was looking at whether it could attach some better metrics to that, as well as using attainment data.¹²

Disparities in support

10. At January 2019, nearly twice as many boys than girls had been identified as having SEND—20.2% of boys compared with 10.7% of girls, for those aged 5 to 17 in state-funded schools. The proportion of pupils with SEND also varied by ethnicity, from 8.0% of Chinese pupils to 15.5% of black pupils.¹³

11. The Department said that children should have access to the same high-quality support, wherever they lived and whatever their circumstances. It acknowledged, however, that the evidence showed that, while some children received a fantastic level of support,

8 Q 39, Department for Education, *'Major review into support for children with special educational needs'*, 6 September 2019

9 Q 39

10 Q 43

11 Qq 45–46

12 Q 46

13 C&AG's Report, para 1.4

others did not.¹⁴ It told us that the extent of gender disparity differed depending on the type of SEND. For example, there was no difference by gender in the incidence of hearing or visual impairment. On the other hand, more boys than girls were identified with speech and language communication difficulties, and challenging behaviour; while more girls were identified with eating disorders and mental health conditions. Among children with EHC plans, many more boys than girls had autism. The Department suspected that autism in girls may have been under-identified.¹⁵

12. The Department said that it had not identified regional and local variations by gender in the numbers of children with SEND, but had supported a detailed study by Oxford University that found there was significant regional variation with regard to ethnicity. It told us that it had been hard to pinpoint why there was this variation, but that it could be related to language or deprivation. The Department considered that local areas needed to address the discrepancies themselves, because they understood their local communities better. It had sent each local area's school improvement team tailored data about ethnicity and SEND, to enable them to compare their position against others, follow up areas of difference, and seek improvements where necessary.¹⁶

13. EHC plans can be an important means for families to ensure that their children receive the specific support that their assessment has determined they require, as they give legally enforceable entitlements to specific packages of support. At January 2019, the proportion of pupils aged 5 to 15 with EHC plans ranged from 1.0% to 5.9% in different local authorities.¹⁷ The previous Committee heard from the National Network of Parent Carer Forums that parents saw an EHC plan as a “golden ticket” to accessing the support their child and the family needed.¹⁸ More parents are challenging local authorities' decisions about EHC plans—for example, the number of appeals by parents against local authorities' refusal to issue an EHC plan rose markedly from 298 in 2013/14 to 526 in 2017/18.¹⁹

Excluding pupils with SEND from school

14. Pupils with SEND are far more likely to be permanently excluded from school, or excluded for a fixed period, than pupils without SEND. For example, in 2017/18, pupils with SEND accounted for 44.9% of permanent exclusions and 43.4% of fixed-period exclusions. In May 2019, the Timpson review of school exclusions concluded that vulnerable groups of children were more likely to be excluded and that more should be done to ensure that exclusion was used consistently and fairly.²⁰

15. The Department emphasised that, where an exclusion was the last resort, it was the right of the school and the headteacher to make that decision. However, it acknowledged that it had been clear from the data for a long time that children with SEND were disproportionately excluded.²¹

14 Q 52

15 Qq 10–11

16 Q 49

17 C&AG's Report, paras 1.10–1.11

18 (Oral evidence on 30 September 2019) Q 32

19 C&AG's Report, para 3.3, Figure 11

20 Q 18; C&AG's Report, paras 3.16–3.17

21 Q18

16. The Department considered that early intervention was key to managing exclusions, making sure that schools were supported to deal with children who had challenging behaviour. It had identified that children's needs were not being met sufficiently early, and said it was exploring what more it could do about this. It wanted to avoid situations in which a child was excluded at the age of 15 for something that could have been addressed earlier.²²

17. The previous Committee heard from the National Network of Parent Carer Forums that early intervention was not happening, and that parents were not being listened to, meaning young people were left to get to a crisis point and to fail.²³ The Special Educational Consortium said that some pupils with SEND were repeatedly excluded from school from a young age for their behaviour. It considered this was often linked to children not developing communication skills at an early age.²⁴

18. The Department told us that it had a number of measures to help schools support children with challenging behaviour, such as behaviour hubs, which should have an impact on pupils with SEND. It was also working jointly with NHS England and the Department of Health and Social Care to establish mental health support teams in schools in 20% to 25% of areas by 2023. The teams would provide additional support and expertise within schools, helping children to manage anxiety and low-level behavioural issues earlier.²⁵

19. The Department told us that it had also been discussing with the Department of Health and Social Care support for schools in dealing with children who may have a combination of autism spectrum disorder and mental health concerns. The aim was to put support and behaviour management strategies in place locally to help those children stay in school, or to move to a school that would better meet their needs.²⁶

Inspection of SEND provision

20. The Department relies on Ofsted inspections to know how well individual schools are meeting the needs of children with SEND. However, how often any mainstream school is inspected and the extent to which the inspectors examine SEND provision depend heavily on how Ofsted previously graded the school. Ofsted carries out full inspections of schools previously graded as 'requires improvement' or 'inadequate', or where it has specific concerns, and inspectors should take account of provision for pupils with SEND in forming their judgements about the school. Ofsted inspects schools previously graded as 'good' (around two-thirds of all schools) usually through a short inspection, which may or may not focus on provision for pupils with SEND.²⁷

21. In addition, schools that Ofsted has previously graded as 'outstanding' have been exempt from routine re-inspection. At August 2018, 1,962 schools graded as outstanding had not been inspected for six years or more, meaning little up-to-date assurance was available about those schools' provision for pupils with SEND.²⁸ Some outstanding schools

22 Qq 18–19

23 (Oral evidence on 30 September 2019) Qq 3–4

24 (Oral evidence on 30 September 2019) Q 28

25 Q 18

26 Q 27

27 C&AG's Report, paras 3.5–3.7

28 C&AG's Report, para 3.8

had not been inspected for 10 years or more.²⁹ The Department accepted that outstanding schools had not been inspected for some time, but noted that Ofsted was now starting to inspect outstanding schools again.³⁰

22. The new inspection framework that Ofsted inspectors have been using since September 2019 provides for more explicit consideration of how well schools are meeting the needs of children with SEND.³¹ The Department said that it had found that 98% of inspection reports under the new framework had addressed SEND provision explicitly and that the reports had mentioned SEND an average of 2.4 times. The Department also emphasised that all Ofsted inspectors had been trained in how to identify good-quality SEND practice in schools, and that inspectors had to include pupils with SEND in their samples of pupils in each school.³² The previous Committee heard from the National Network of Parent Carer Forums that they welcomed the new inspection framework and considered there was a lot in the framework that was very positive.³³

23. In 2016, Ofsted and the Care Quality Commission (the CQC) started joint inspections of how well local authority areas are supporting children and young people with SEND.³⁴ These local area inspections look at education, health and social care services for each local authority area as a whole and are expected to have covered the whole of England by summer 2021.³⁵ The Department said that Ofsted and the CQC had been compiling evidence about how well the inspection regime had been going, with a view to informing Ministers' decisions about the future of the regime.³⁶

24. Ofsted and the CQC found significant weakness in half (47 of 94) of the local areas inspected by the end of July 2019.³⁷ The Department told us that, in these local areas, either the council or the clinical commissioning group, or both, needed to do better. These local areas had been required to set out how they would respond to recommendations in their inspection report. The Department said that Ofsted and the CQC then revisited the areas concerned to determine if they had responded appropriately. Of the first 18 revisits, seven local areas had done all they had been supposed to do, meaning 11 had not.³⁸

25. The Department reported that aspects of poor performance in local areas with significant weaknesses included the quality of parent-carer engagement, and whether the EHC process was as speedy as it should be.³⁹ The previous Committee heard from the National Network of Parent Carer Forums that very often parents did not feel they had been listened to, and that schools had overruled parents' concerns, which had caused parents to feel frustration in engaging with their children's schools.⁴⁰

26. The Department noted that around 50% of local areas were not meeting the needs of children and young people with SEND. It had expected that a significant number of

29 C&AG's Report, *Ofsted's inspection of schools*, Session 2017–19, HC 1004, 21 May 2018, para 10

30 Q 39

31 Q 32, C&AG's Report, para 3.7

32 Q 32

33 (Oral evidence on 30 September 2019) Q 4

34 Q 33

35 C&AG's Report, paras 20, 3.21

36 Q 33

37 C&AG's Report, para 20

38 Q 35

39 Qq 35, 37

40 (Oral evidence on 30 September 2019) Q3

local areas would find it challenging to put in place a completely new system following the Children and Families Act 2014, but accepted that it had not thought enough about this in advance. The Department also highlighted that the financial situation that many local authorities and schools faced had become more challenging since the legislation was enacted, and that this helped to explain why some local areas were not meeting the expected standards.⁴¹

2 System funding and capacity

27. A growing number of local authorities have been spending more than they budgeted on pupils with high needs and the increased spending has added to the financial pressures that local authorities face. In 2017–18, 122 local authorities (81.3%) overspent their high-needs budgets, up from 71 local authorities (47.3%) in 2013–14.⁴² The Department noted that the financial situation facing many local authorities was more challenging than at the time the Children and Families Act 2014 came into force, and that the legislation had been debated in advance of the 2015 spending review.⁴³ It highlighted that the Government's announcement in August 2019, of £780 million extra funding for children with SEND from 2020/21, was an acknowledgement that there was not enough money in the system.⁴⁴

Financial incentives

28. In 2018–19, local authorities estimated that mainstream schools would spend a total of £3.8 billion on covering the first £6,000 of support per pupil with SEND. If schools need to spend more than this £6,000, they may apply to their local authority for top-up funding. The Department introduced the £6,000 threshold in 2013–14, and has not increased it since then.⁴⁵

29. The Department told us that, before it introduced the £6,000 threshold, most local authorities had been funding mainstream schools to cover the extra costs of supporting children with SEND, but the amounts differed significantly. Its aim in introducing the threshold had been to standardise the amount and give schools more predictable support.⁴⁶

30. The Department highlighted that the funding mechanism allowed mainstream schools that were genuinely inclusive to receive additional funding from local authorities.⁴⁷ In 2018–19, 85 of 150 local authorities together budgeted £56.8 million for additional support of this kind.⁴⁸ The previous Committee heard from the National Network of Parent Carer Forums that schools with a good reputation among parents for supporting pupils with SEND had become 'SEND magnets', which had put further pressure on inclusive schools. However, the way schools were funded did not give them an incentive to be inclusive.⁴⁹ Sense suggested to the previous Committee that a pupil premium, whereby additional funding followed pupils with SEND and recognised their individual needs, could be used to reward those mainstream schools that were committed to being inclusive.⁵⁰

31. The Department told us that it had put out a call for evidence during 2019 on how effectively the funding system was operating. It had held a number of workshops and meetings and was analysing the feedback to inform the ongoing review of SEND provision. However, the call for evidence had not indicated that there was consensus on whether there was a better system than the one currently in place, which was partly why the Department

42 C&AG's Report, paras 2.10, 2.18

43 Qq 38, 65

44 Q 70

45 C&AG's Report, paras 11, 2.4, 2.6

46 Q 98

47 Q 102

48 C&AG's Report, para 2.8

49 (Oral evidence on 30 September 2019) Q 4

50 (Oral evidence on 30 September 2019) Q 11

was not yet in a position to recommend a different system.⁵¹ The Department agreed that the requirement to fund the first £6,000 of additional support costs had deterred some schools from enrolling pupils with SEND. However, it highlighted that, under a previous funding system, schools had been incentivised to identify children as having SEND, even if they did not, in order to secure extra funding. This had resulted in children being treated as different rather than as included.⁵²

Special schools

32. At January 2019, nearly 122,000 children with SEND attended state special schools (9.8% of all pupils with SEND), at an average cost per pupil of £20,500 a year. A further 20,000 children with SEND (1.6%) attended independent special schools, at an average cost per pupil of £50,000 a year. The number of pupils attending independent special schools increased by nearly a quarter between January 2014 and January 2018, partly because state special schools that could otherwise have met those pupils' needs did not have places available.⁵³ The Department said that it needed to make sure that, where local authorities were using independent provision, it was because that was the best solution for the child, rather than because there was no alternative. It told us that some local authorities had a historical level of state special school provision that was more generous than others, which was why it was now investing in new state provision.⁵⁴

33. Between 2013–14 and 2017–18, the cost per place in independent special schools rose by 8.4% in real terms, compared with a real-terms decrease of 1.8% in state special schools.⁵⁵ The Department expressed concern over the increasing cost, and told us that it was a focus for action. It said that it had been expanding the number of state special school places through the Free Schools Programme.⁵⁶ At December 2018, 34 special free schools had opened, with a further 55 in the pipeline. The Department expected that the open schools would provide an extra 2,700 places when they reached full capacity, but that there might be demand for a further 2,500 state-school places for children with complex needs by 2021.⁵⁷ The Department said that it had invited 37 applications for more special free schools and that there was clearly more need to be met.⁵⁸

34. The Department said that the increasing demand for places in special schools was a consequence of the intention in the 2014 reforms to make it easier for children to receive specialist support. It also noted that engaging parents in the process had put some in direct contact with independent special schools that could offer support not available in local state special or mainstream schools. The Department accepted that this was a system that had not been designed to maximise value for money, and that it needed to ensure there was a sufficient range of good provision available to keep costs down.⁵⁹

35. In 2017–18, local authorities spent £662 million on transport to take pupils with SEND to and from school, £102 million (18.4%) over budget. Spending on SEND transport

51 Qq 97–98
 52 Qq 30, 97–98
 53 C&AG's Report, paras 2.16–2.17, Figure 3
 54 Qq 77–78
 55 C&AG's Report, para 2.17
 56 Qq 79, 81
 57 C&AG's Report, para 2.32
 58 Q 81
 59 Q 79

increased by £52 million (8.6%) in real terms between 2014–15 and 2017–18, partly because more children were attending special schools which tend to be further from home.⁶⁰ The Department confirmed that transport for children attending special schools was a significant financial pressure on local authorities. It expected the extra places created in new special free schools should help reduce these costs.⁶¹

Mainstream schools

36. The previous Committee heard from the Special Educational Consortium that mainstream schools could not be expected to respond to the full range of needs for pupils with SEND, because specialist services had diminished.⁶² The Consortium wanted to see greater transparency between local authorities and their schools about what support services schools were expected to provide, and for this to be set out in the local offer.⁶³ A parent carer and Sense both also confirmed that it had become increasingly difficult for mainstream schools to provide specialist support to pupils with SEND, particularly for those with less common needs.⁶⁴

37. The Department told us that it sought to fund additional units in mainstream schools, for example to support children with autism. It had given capital funding to local areas over the past three years and many had used this money to expand provision in mainstream schools to meet the needs of pupils with SEND, with the aim of negating their need to go to special schools.⁶⁵

60 C&AG's Report, paras 2.19–2.20

61 Qq 76, 90

62 (Oral evidence on 30 September 2019) Q 6

63 (Oral evidence on 30 September 2019) Q 13

64 (Oral evidence on 30 September 2019) Q 8

65 Q 92

Formal Minutes

Wednesday 29 April 2020

Virtual meeting

Members present:

Meg Hillier, in the Chair

Olivia Blake	Gagan Mohindra
Sir Geoffrey Clifton-Brown	Sarah Olney
Peter Grant	Nick Smith
Mr Richard Holden	James Wild
Craig Mackinlay	

Draft Report (*Support for children with special educational needs and disabilities*), proposed by the Chair, brought up and read.

Ordered, That the draft Report be read a second time, paragraph by paragraph.

Paragraphs 1 to 37 read and agreed to.

Summary agreed to.

Introduction agreed to.

Conclusions and recommendations agreed to.

Resolved, That the Report be the First of the Committee to the House.

Ordered, That the Chair make the Report to the House.

Ordered, That embargoed copies of the Report be made available, in accordance with the provisions of Standing Order No. 134.

[Adjourned till Wednesday 6 May at 2:00pm]

Witnesses

The following witnesses gave evidence. Transcripts can be viewed on the [inquiry publications page](#) of the Committee's website.

Monday 30 September 2019

Philippa Stobbs, Assistant Director, Council for Disabled Children, **Richard Kramer**, Vice Chair, Disabled Children's Partnership, and Chief Executive, Sense, **Mrunal Sisodia**, Parent Carer, and, Co-Chair, National Network of Parent Carer Forums, and **Matt Keer**, Parent and Contributor, Special Needs Jungle

[Q1-48](#)

Monday 9 March 2020

André Imich, Special Education Needs and Disability Professional Adviser, **Suzanne Lunn**, Deputy Director, Special Educational Needs and Disability Division, and **Jonathan Slater**, Permanent Secretary, Department for Education.

[Q1-109](#)

List of Reports from the Committee during the current Parliament

All publications from the Committee are available on the [publications page](#) of the Committee's website. The reference number of the Government's response to each Report is printed in brackets after the HC printing number.

Session 2019–21

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