

Written evidence from the Federation of Leaders in Special Education (FLSE)

Executive Summary

- I. FLSE is an independent body which, as a registered charity and a 'not for profit' organisation, provides a framework for extensive dialogue between all those providing special education services and the DfE and local authorities. It is the organisation which relates to government and policy makers and is the voice of leaders who work within the field of special education.
- II. We have provided this evidence on behalf of our members who all work with children and young people with SEND and their families on a daily basis and they have seen the impact of the SEND Reforms first-hand.

1. The assessment of and support for children and young people with SEND

- 1.1 Nationally the majority of special schools and specialist provisions have reached capacity and are struggling to meet demand on places. Class sizes in these settings are rising.
- 1.2 There are significantly increased numbers of children entering education settings with very complex needs due to a number of factors including better neonatal medicine, increased diagnosis of need as well as the pressures of 21st Century life.
- 1.3 Many mainstream schools are not trained or equipped to meet the needs of many SEND children and this results in exclusions, reduced timetables, being taught by TA, home educated
- 1.4 The curriculum and assessment system that schools have to follow is not appropriate for many children with SEND but accountability measures (SATS/GCSEs) are deemed to be more important than inclusive practice in some mainstream schools – there is no national alternative for these pupils
- 1.5 Every local authority appears to have their own policies on SEND rather than following what the law actually states should happen. Many schools follow the LA rules, many of which are non-compliant

2. The transition from statements of special educational needs and learning disability assessments to education, health and care plans

- 2.1 Local authorities struggled to complete the transfers from statements to EHCPs. Quantity became more important than quality as they got closer to the deadline on March 31st 2018
- 2.2 There has been a lack of urgency across the country from local authorities following an annual review, especially when amendments needed to be made and a revised plan issued. There are cases where schools have carried out an annual review using the non-amended EHCP because it had not been returned by the local authority
- 2.3 There is a huge disparity of the quality and legality of EHCPs across the country – this causes many issues for schools that may take from across a number of local authorities
- 2.4 Parents have not felt part of the transfer process – it has been up to individual schools to engage them – still a feeling that they have to “fight” for everything
- 2.5 Educational Psychology (EP) support in many local authorities was concentrated on the assessments for transfer reviews. This meant a lack of EP support for schools for new children or to support on-going case-load.

3. The level and distribution of funding for SEND provision

- 3.1 The High Needs Block in the majority of local authorities is overspent and there appears to be no way of addressing this with current financial constraints placed on local authorities
- 3.2 There is a disparity between local authorities as to how and how much they allocate to support individual complex needs on top of the base budget – based on local criteria/bands/matrix etc.
- 3.3 Early identification and intervention are paramount in the SEND Code of Practice but the funding for early years including the 30 hours offer is inadequate for settings to support children with SEND.
- 3.4 There has been no increase in the base amount allocated to special schools even though there have been pay increases for staff and the requirement to employ much more specialised staff to meet the needs of the increasing numbers of complex pupils

- 3.5 Training for all staff is not being undertaken at the levels it should be due to very little budget left to provide high quality professional development
- 3.6 Local authorities have had to develop new opportunities for the 19-25 age group with no additional funding this has been taken from the high needs pot resulting in schools getting less

4. The roles of and co-operation between education, health and social care sectors

- 4.1 Across the country there appears to be minimal input from health or social care. Representatives from these have had limited input into EHCPs and services have not been commissioned in the way the SEND Code of practice outlines
- 4.2 There are many issues about therapies when provided by health. The law is very clear that when a therapy educates it must be in the education section of the EHCP but provided by a commissioned service from health, therefore health should fund. Social Care teams only appear to be involved if there is a safeguarding issue otherwise have very little input
- 4.3 SENCOs in mainstream schools and special school staff spend an inordinately amount of time chasing up professionals from health and social care often with little success (they are off sick, they have left, not our responsibility, we cannot talk about the child due to data protection!)
- 4.4 If education, health and social care are not involved from the initial ENC Needs Assessment it is really difficult to engage them once process underway. The current system is too reliant on individuals who want to engage not about a robust and transparent system that ensures they must be involved
- 4.5 Schools are no longer educational institutions they are also dealing with and managing social care and health issues – the school workforce is not trained to pick up many of these new roles. Vulnerable children require the right professional to support them at the time when they need it – not six months later. All those working with our most vulnerable children need supervision in line with their health and social care colleagues

5. Provision for 19-25-year olds, including support for independent living, transition to adult services and access to education, apprenticeships and work

- 5.1 Very limited provision available for this group of young people and no additional funding/resource to increase that provision

- 5.2 Untimely transfer from Learning Disability Assessment to EHCPs meant that a significant number of young people did not get the provision they needed on leaving school
- 5.3 Access to high quality transition advice is limited for this group of young people – schools are having to support careers advice and support work experience placements
- 5.4 Limited understanding of individual pupils needs – young person with autism may not be able to attend very large, noisy, busy college but no alternative
- 5.5 Post-code lottery of availability for supported apprenticeships and supported employment
- 5.6 Special Schools are trying to meet need by developing 19-25 provision but there is no funding to support this – not able to set up a Free School for this age group

Recommendations

- 6.1 National recognition that there is an increase in children with complex needs who need either specialist settings or an alternative curriculum in mainstream school that meets their individual needs
- 6.2 Improved funded training for the school workforce including ensuring that SEND and Inclusion are an integral part of any route into teaching. Training for relevant health and social care staff to ensure they fully understand their role and responsibilities
- 6.3 Less pressure on schools in terms of national expected standards and a celebration of good inclusive schools and settings
- 6.4 Develop a national framework for SEND support and provision – this would ensure that all children, no matter where they lived were getting equitable services
- 6.5 Introduce a national EHCP document with rigorous information about how to complete to ensure equity across the country
- 6.6 Review funding allocations for 2018-19 to ensure that every local authority is able to provide for all their SEND pupils
- 6.7 Ring-fence the notional SEN budget in mainstream schools and hold them to account in terms of how it is spent (like the Pupil Premium)

- 6.8 Introduce a national formula for Top – Up funding following agreed bandings – exceptional cases could be allowed for within this
- 6.9 There needs to be greater clarification about the role and responsibilities of health and social care and professionals need to be trained to ensure they understand and are able to participate
- 6.10 Review good practice for the 19 – 25 age range and offer support and funding to those special schools who would like the opportunity to develop this aspect of educational provision

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