**Labour Party SEND Provision Review – Family Action’s Submission**

Family Action is a charity committed to building stronger families by delivering innovative and effective services to many of the UK’s most vulnerable people. Its wide-ranging work includes:

* help for parents-to-be;
* the provision of high quality Children’s Centres;
* intensive family support - often provided directly in the family home;
* counselling and emotional health and wellbeing services;
* information and advice services on topics such as SEND, Domestic Abuse and the Welfare system;
* specialist therapeutic work with children and young people who have experienced abuse, bereavement or other traumatic events; and
* financial grants programmes for individuals and families in crisis.

Family Action helps 45,000 families every year across over 135 services. Its vision is that everyone who comes to the charity will receive the help they need to tackle their problems, whether they are experiencing poverty, disadvantage or social isolation.

Family Action is confident in submitting evidence regarding SEND provision as we run 16 SEND services across England, and therefore have first-hand experience alongside sound knowledge gained via our links in the sector.

The Impact of “every school an academy” on SEND Admissions and Provision

We have mixed feelings on the proposal to move towards many more schools becoming academies. The academy model could lead to improved SEND provision, as schools could join together to fund training and resources and buy time from professionals such as educational psychologists and speech and language therapists. This could be especially beneficial for those schools that are struggling with SEND provision or in general.

However, we are unsure how far all academies would commit to adhere to the SEND Code of Practice and feel that continued, robust Ofsted regulation would be needed to support compliance.

We also feel that the move to academies could be confusing and worrying for some young people and their parents. The favoured approach of group academies with different sites would need to be carefully managed so that a group academy is not named within an Education, Health and Care Plan (EHCP) and the child/young person then sent to any of the schools within the group, as opposed to the specific school that they and/or a professional have chosen as best able to meet their needs. If academies are each allowed to set their own admissions procedures, this could be confusing for families and lead to them needing to do more research to navigate systems. We are also concerned that academisation could lead to further discrimination at the admissions stage for children and young people with SEND, as local authorities would have less power to enforce school placements, allowing schools more opportunity to advise families that another school would be better suited to their child’s needs.

The Drafting of EHCPs

We feel that the quality of EHCPs is very variable, both between and within Local Authority (LA) areas. For example, a staff member who works across two boroughs feels that the quality of plans (in terms of content and person-centredness) is good in Ealing but average in Harrow. Across our services, staff indicated that the intention to make the plans more person-centred seems to exist, but this is not always translated into practice. This is possibly due to LA workers not feeling confident to work in a person-centred way or not having enough time.

Our Harrow service has seen EHCPs of variable quality – they are usually well-drafted, but details are sometimes missed. However, where the family is aware of this, the LA has been willing to amend the plan. This indicates that there is still significant responsibility on parents to monitor the accuracy of EHCPs. Our Ealing service has found that some of the best EHCPs are produced when parents have been very thorough in their preparation and have pushed to get all the professionals at the meeting. This suggests that there is still a significant amount of inequality in the process as some parents will be less able to prepare and influence. Staff at the service feel the quality of the EHCP depends greatly on the individual drafting the plan and the information that is provided by professionals. Some EHCPs are very clear and person-centred and others are much less so. At our Islington service the quality of EHCPs seems good, however, only a small quantity of plans (51) has been produced so far.

We have also found that post-16 EHCPs often lack the professional assessments and updated reports required – particularly Health reports. So far, communication and collaboration between Health and other professionals in Adult Services does not appear to have worked very well on any EHCPs seen by our services.

The Transition from Statements to EHCPs

In general, we feel there have been a number of difficulties with the process of converting statements to EHCPs, such as:

* Parents not realising the usual annual review meeting was the transfer review, and therefore feeling unprepared to participate
* Professionals not being available for meetings, despite the stipulations that they should attend in the SEND Code of Practice
* Delays with finalising paperwork, often due to waiting for professionals’ contributions

To compound these issues, we have encountered cases where the final EHCP is issued without the LA indicating the right of appeal to amend it.

Across our services staff have reported delays with the process of converting statements to EHCPs. We have encountered parents who have been told that their child will not be transferred, even if they are due to be on the LA’s conversion plan, because of the pressure on LAs. Some workers feel that LAs seem to be prioritising secondary school and post 16 plans, with younger childrens’ plans ignored unless the family requests conversion.

Communication has been problematic throughout the process. For example, families have often not received important letters indicating what would happen in the conversion process. Others have received letters indicating the conversion would take place that year, but have been told by their school that there is insufficient Educational Psychologist time to do the requisite assessments in advance of the conversion to an EHCP.

The Variability in the ‘Local Offer’

The quality of Local Offers across the country appears to vary enormously. In Ealing the Local Offer has improved since it was overhauled last year. Prior to this it was extremely inaccessible and difficult to navigate. It now has the necessary information, but this can still be difficult to find. In Harrow the Local Offer information does not always seem meaningful to families.

The SEND Code of Practice

The SEND Code of Practice (the Code) is clear and easy to use. However, the sheer volume of information included makes it seem overwhelming for many families. Despite this, in general families feel reassured once they have been talked through the process. Therefore, the Code works very well to support staff to work with families, but the length and detail of guidance that it is necessary to provide across such a broad area makes some parents wary of using it. One worker indicated that, although she finds the Code easy to use, she feels it is ‘about the same’ quality as the previous version in this regard, and it has therefore not been an improvement despite the work and time put into it. In general, we feel that the new Code is a step in the right direction in terms of its content and tone, but it needs to be improved in terms of guidance on Further Education colleges and its emphasis on progression, as many young people are not able to, or do not wish to stay in education until they are 25.

Provision of SEND in Initial Teacher Training (ITT)

We feel that teachers should receive a robust induction and continuing professional development to keep their skills and knowledge around SEND up to date. Training should be re-organised to include more SEND information as a thread running through all aspects of existing teacher training, as opposed to being a stand-alone module. Ideas about what this could look like include:

* Training, and supervision for Newly Qualified Teachers, with Special Educational Needs Coordinators (SENCOs) to ensure teachers understand SEND and can maintain an inclusive classroom
* Information about common conditions and needs they will have to support with an emphasis on early intervention
* Encouraging creativity to meet needs (whilst adhering to standards) – not all interventions need to be expensive and innovative practice can make a big difference
* Emphasis on recognising and addressing children’s barriers to learning (e.g. what to look for in terms of how a child might present in class)
* Clear guidance on what is ‘adequate’ and ‘inadequate’ progress
* Emphasis on how to engage with families and the importance of building positive communication and relationships
* Information about what professionals and services the school can access and what these can do to help
* Studying best practice examples of ‘Assess, Do, Monitor, Review’
* Guidance on where to find more information and support

Accessing Specialist Services within the School Setting

In general, we feel that it has become easier for children to access specialist services in school, but this access depends greatly on the proactivity of the SENCO. By comparison, services for young people aged 16-25 are not so efficient or easy to access. There is also an issue with young people not knowing about services that are available, and therefore not accessing them. In general, it is parents who request services, as opposed to young people engaging with them on their own, suggesting that, at the local level, the new system is not engaging and involving young people in the way that had been hoped. Compared to other areas where we work, young people’s access to specialist services seems to work well in Islington. Staff attribute this to a well-integrated service supporting children and young people with disabilities, where health and social care sit together within one service.

Potential Explanations for the High Number of Exclusions of Pupils with SEND

One of the issues causing high numbers of exclusions may be the lack of early identification of needs; if children and young people are not identified as having SEND they will not be supported to manage them. There are also long waiting lists for professional services, such as CAMHS, counselling and behaviour teams, which means that the right support is often not implemented, at least until crisis point. Furthermore, mainstream schools are expected to deal with more and more challenging pupils. Whilst some pupils will be able to adjust to mainstream settings with additional support, for others, the physical space and sensory demands are too great. These children suffer particularly as they have to wait 20 weeks for an EHCP and then wait again (often for months at a time) for a place to become available at a setting that suits their needs. Moreover, teachers often do not have the training and awareness of disability issues to make reasonable adjustments. As one parent commented ‘the school expects my child to be flexible and conform with other children in the school rather than the school conforming or being flexible with my son’.

Overall Assessment of the Reforms

The reforms resulting from the Children and Families Act are a step in the right direction, but there are a number of persistent difficulties, as outlined throughout this response. In general, the intention to make changes is present among professionals, schools and LAs, but there are difficulties implementing such a radically changed system as a result of LA cuts and the lack of staff training to meet the reforms. Furthermore, although the spirit of the reforms is fantastic, it does not change the fact that there is a severe shortage of trained speech and language therapists, occupational therapists and educational psychologists to complete the reports needed for the EHCP process.

Our staff feel that, broadly speaking, children and young people with EHCPs are getting better support than was the case under the old system. However, it is also felt that many children and young people slip through the cracks in terms of getting access to support through the EHCP (e.g. those with statements that have ceased or those with Learning Difficulty Assessments) due to the delays and other difficulties mentioned previously. There also seems to be an increase in complex needs and specialist placements are not increasing fast enough to meet the demand for places. Therefore, although the reforms are an improvement in terms of outlining more specific support and being more person-centred, they have failed to address some of the bigger issues.