

Support and aspiration: A new approach to special educational needs and disability. A consultation DfE

This information below identifies the section headings (bold). All other text is lifted directly from the document. It aims to provide an overview of main ideas.

P 2 Foreword

We want to give children the best chance to succeed by spotting any problems early
We want to make the system less stressful for families. Our proposals will also mean that children themselves can appeal if they feel they aren't getting the support they need
We want to give parents more control by offering every family with a single plan the right to a personal budget by 2014...and ensuring more choice by allowing parents to name in their child's plan, a preference for any state-funded school. Our proposals are designed to support teachers in giving every child the support they need to succeed – focusing on achievement not labels, funding additional training for teachers and building expertise by collaboration between schools.

Executive summary

P4 Case for change

P4 Our vision

P6 Early identification and support

P7 Giving parents control

P 8 Learning and achieving

P 10 Preparing for adulthood

P 11 Services working together for families

P 13 Next steps

Introduction

Children who are disabled or who have special educational needs (SEN) have disproportionately poor outcomes.

P 14 A lack of effective support can undermine family life

P 15 The system needs radical reform

9 Today's system of support for children and young people who are disabled or who have SEN often works against their wishes and their parents' judgement.

12 Children's needs can be identified late; families are made to put up with a culture of low expectations about what their child can achieve at school and about what young people's futures hold; parents suffer from a lack of information about what help they can expect and have limited choices about the best schools and care for their child; and families are forced to negotiate each bit of their support separately.

P 16 Our vision

16 We want to put in place a radically different system to support better life outcomes for young people, give parents confidence by giving them more control, and transfer power to professionals on the front line and to local communities.

18 To support better life outcomes for young people we propose:

- a new approach to identifying SEN in early years settings and schools to challenge a culture of low expectations for children with SEN and give them effective support to succeed and

- a new single assessment process and 'Education, Health and Care Plan' by 2014 to replace the statutory SEN assessment and statement for children, bringing together the support on which children and their families rely across education, health and social care. The new 'Education, Health and Care Plan' will provide the same statutory protection to parents as the statement of SEN.

19 To give parents confidence by giving them more control we propose:

- local authorities and other services will set out a local offer of all services available to support disabled children and children with SEN and their families. This easy-to-understand information for parents will set out what is normally available in schools to help children with lower-level SEN as well as the options available to support families who need additional help to care for their child; and
- the option of a personal budget by 2014 for all families with children with a statement of SEN or a new 'Education, Health and Care Plan', many of whom will have complex support needs

20 To transfer power to professionals on the front line and to local communities we propose to:

- give parents a real choice of school, either a mainstream or special school. Parents of children with statements of SEN will be able to express a preference for any state-funded school – including special schools, Academies and Free Schools.
- introduce greater independence to the assessment of children's needs, testing how the voluntary and community sector could coordinate assessment and input from across education, health and social care as part of our proposal to move to a single assessment process and 'Education, Health and Care Plan'.

P17 Next steps

22 We will set out our detailed plans by the end of the year.

P 18 Children and young people who are disabled or who have SEN and their families

P 18 Definitions and context

P 20 The increase in SEN

P 21 Children with low-incidence needs

P 21 Where children with SEN go to school

P22 Destinations after school

P 22 Children and young people's outcomes

P23 Education (outcomes)

P24 Exclusion

P 24 Young people not in education, employment or training

P 25 Crime

P 25 Health and wellbeing

P 26 The Call for Views

Chapter 1: Early identification and assessment

P 28 Chapter summary 1.1-1.4

P 29 Early identification of need

1.6 ...too many children are still falling through the net and starting school without the necessary skills or behaviours for more formal learning.

P 30 Support in the early years from health professionals

1.13 The expanded health visiting services will ensure as a priority that all families are offered the health and development review for children aged between 2 and 2½ years, so that children who need any additional support can be identified and appropriate support offered to the family.

P 31 Accessible and high quality early years provision

1.21 Local authorities must not, however, have a blanket policy not to statement children under five.

1.22 The Department for Education will ensure that the extended free entitlement of 15 hours of early education for disadvantaged 2 year-olds is developed to accommodate disadvantaged children with more complex support needs and their families.

1.28 Local authorities, with their role as champions for vulnerable children and families, are in a unique position to commission appropriate services and must fulfil their duty from the Childcare Act 2006 to ensure sufficient childcare for disabled children. Local authorities also have a duty, through their Family Information Services, to provide advice for parents on childcare and early year's services in their area and to help parents find a suitable early years setting.

P 34 A new approach to statutory assessment

1.40 We propose that children and young people who would currently have a statement or statutory assessment of learning difficulty for further education and skills training should have a single statutory assessment process and 'Education, Health and Care Plan', from birth to 25.

All the services on which the child and their family rely would work together with the family to agree an 'Education, Health and Care Plan' which reflects their ambitions, for now and for the future; is clear about who is responsible across education, health and social care for which services; and includes a commitment from all parties to provide their services.

1.55 We intend make clear in a revised SEN Code of Practice what obligations there are on local authorities in relation to social care provision for families with disabled children

P 39 A more efficient statutory assessment process

1.60 We propose to reduce the (maximum) time limit for the statutory assessment process from 26 weeks to 20 weeks

1.64 We will develop a simple, short non-statutory pro-forma which schools and local authorities can use if they wish to for the annual review meeting reports.

Chapter 2: Giving parents control

P 41 Chapter summary 2.1 – 2.4

P42 Supporting families through the system

2.10 The DfE will fund voluntary and community sector organisations to maintain the existing Early Support resources, including the training materials, and amend them in partnership with parents to extend their use to families with school-aged children.

P 44 Clear information for parents

2.19 We propose to ensure that local authorities set out a local offer of the support that is available for children with SEN or who are disabled and their families, and from whom.

2.20 In relation to school provision, we propose that this local offer would describe what additional or different provision schools make for children with SEN in four areas; curriculum; teaching; assessment and pastoral support

2.21 We propose to slim down requirements on schools to publish information so that parents are clear about schools' approaches to SEN.

P 47 Giving parents more control over support and funding for their child

2.31 we will ask those local authorities already working with children's individual budget pilots, and a further wider group of local authorities, to work with schools, colleges, early years settings and health providers to test what other services could be included in a personal budget. The evaluation of the personal health budget pilots will report in October 2012

2.36 By 2014, our intention is that all families with the proposed 'Education, Health and Care Plan' will be entitled to a personal budget. Subject to piloting, this would include funding for education and health support as well as social care.

2.40 We will encourage LAs to make use of new voluntary and community sector providers in order to increase the range of support available to families with a statement of SEN or 'Education, Health and Care Plan'.

2.43 The DfE will continue to fund parent forums in every local area to build on the good practice that has been developed.

P 51 A clear choice of school

2.52 And we intend to introduce legislation to ensure that parents of children with a statement of SEN or 'Education, Health and Care Plan' have equivalent rights to express a preference for any state-funded school – whether that is a special school, mainstream school, Academy or Free School.

2.54 (Home education) We expect that when local authorities are considering whether parents are making suitable provision that they also consider whether to use their power under the Education Act 1996 to make special educational provision out of school to help the parents make their provision suitable for their child's SEN. We also expect local authorities to consider whether home educated children who had been in receipt of support at School Action Plus at school should continue to receive that support through local authorities using their power under the 1996 Act to make provision out of school.

P 53 Short breaks for carers and children

2.55 The DfE will continue to invest in short breaks, providing over £800 million over the period 2011-12 to 2014-15 as part of the Early Intervention Grant for local authorities.

P 54 Mediation to resolve disagreements

2.62 We propose that parents and local authorities should always try mediation before a parent can register an appeal with the Tribunal

2.64 Given the potential impact on the local authority budget, we would like to ensure that the Tribunal continues to give both priority to ensuring that children's SEN are met and full weight to the efficient use of resources when considering the best way to meet their needs.

2.68 The Department for Education, working with the First-tier Tribunal (SEN and Disability), will pilot giving children the right to appeal and make disability discrimination claims in two or three local authorities with a view to extending the right to all children across England

Chapter 3: Learning and achieving

P 57 3.1 Chapter summary 3.1 – 3.6

P 59 Developing excellent teaching practice for SEN in schools and colleges

3.11 We will provide additional funding for initial teacher training providers to secure a greater number of placements for trainee teachers in special school settings.

3.12 The DfE will work with the Department for Business, Innovation and Skills and the Learning and Skills Improvement Service (LSIS) to support the development of SEN and disability training for those teaching in colleges.

3.13 We have asked the Training and Development Agency for Schools to commission online training materials for teachers about profound, multiple learning disabilities, severe learning disabilities, and complex learning difficulties and disabilities.

3.14 We also propose to fund scholarships for teachers to develop their practice in supporting disabled pupils and pupils with SEN, including in specific impairments.

3.15 Outstanding special schools will be able to apply to become Teaching Schools, or members of a Teaching School partnership, developing their own staff alongside staff in schools throughout their network and sharing their expertise.

3.18 The Department for Education is exploring the possibility of an award run by the Association of Colleges for those colleges that demonstrate best practice in working with young people with SEN. Question 19: How can we ensure that we improve SEN expertise, build capacity and share knowledge between independent specialist colleges, special schools and colleges?

P 62 Effective leadership is critical to changing ethos and approach in schools and colleges

3.21 the National and Local Leaders of Education (NLE and LLE) designations recognise those head teachers who share their outstanding practice through direct school-to-school support or through peer-to-peer coaching and mentoring. The National College will double the overall number of NLEs and LLEs by 2015 and expand the numbers of Special NLEs and LLEs.

3.22 we will create a new designation of Specialist Leaders of Education. These will be serving middle and senior school leaders who are outstanding at what they do and who are able to play a role beyond their school, supporting others to improve, including those who work with children with SEN and disabilities. We envisage that by the end of 2014 there will be 5,000 Specialist Leaders of Education.

3.23 We will ensure that governors have more data so that they can provide effective support and challenge to schools, holding them to account for the progress of pupils with SEN

P 63 Getting the best from all school and college staff

3.25 The DfE is continuing to fund the training of new SENCOs in the academic year 2011/12.

3.26 (*Warning against the practice of teaching assistants teaching pupils with SEN*) Children with SEN need more, not less, time with the school's most skilled and qualified teachers

3.28 We will launch an additional scholarship fund, open to the most able teaching assistants and other support staff, to enable them to build on their SEN support roles and develop their careers further.

P 64 The Achievement for All approach

3.31 We know that the approaches used in Achievement for All can have a hugely positive impact on pupils. We have launched a tender for bids from external organisations to spread the practices that those involved with Achievement for All have developed. We believe that it is important for the school and SEN sector to lead the way in delivering excellence in SEN and school improvement support. We will ask the successful bidder to work with the voluntary and community sector to develop a quality mark for those schools that are developing excellent and innovative SEN support.

P 65 Challenging low expectations of, and targeting support for, children with SEN

3.34 Through the pupil premium we will introduce £2.5 billion of funding a year on top of existing school spending by 2014-15 to help schools offer additional and targeted support for pupils from the most deprived backgrounds, and almost a third of pupils with SEN are also in receipt of free school meals. Schools will have the freedom to use this money as they choose, for example, for extra one-to-one tuition or catch-up support.

3.35 In addition we will provide funding to facilitate the transition to the open market of the Every Child a Reader and Every Child Counts programmes. This will make it possible for those schools that want to use these approaches to do so through ensuring training is available. We will also provide funding for phonics-based training and resources which will support those children who need additional help in

reading to catch up. The DfE will work with SEN specialists as we develop the Year 1 phonics screening check so that it helps to identify children, including those with SEN, who require additional support.

3.37 We will ensure that the new National Curriculum takes account of the needs of all pupils, including disabled children and children with SEN,

3.38 ...children are often identified as having lower-level SEN (at School Action) when in fact the barrier to their learning could and should be addressed through normal day-to-day classroom practice.

3.39 At School Action in particular Ofsted commented that difficulties that would typically be accommodated by good class teaching and the sorts of targeted support that schools should already routinely provide as part of their normally-available offer to all pupils, were being labelled as SEN.

3.40 This problem of over-identification sustains a culture of low expectations for these children and can mean that they do not get the right help.

3.41 We are developing new measures in the performance tables on the progress of disadvantaged pupils and the lowest attaining 20 per cent

3.43 We propose to replace the SEN Code of Practice categories of School Action and School Action Plus with a new single school-based SEN category, providing clear guidance to schools on the appropriate identification of SEN.

P 69 Identifying and tackling the causes of difficult behaviour

3.53 We want to ensure that assessments of SEN and any assessments of children displaying challenging behaviour, by any professional, identify the root causes of the behaviour rather than focus on the symptoms.

3.54 Our trial of a new exclusions approach will consider the needs of, and impact on, disabled children and children with SEN.

3.55. We will recommend in exclusion guidance that children are assessed through an effective multi-agency assessment for any underlying causal factors. We will suggest that schools trigger this assessment in instances in which a pupil displays poor behaviour that does not improve despite effective behaviour management by the school. We will also use the trial of the new exclusions system to test out the effects of this type of early assessment of need.

P 71 Improving access to wider behaviour support

3.58 Over the next four years the DfE will be providing support to build the capacity of the voluntary and community sector, including in the delivery of targeted mental health support.

3.60 We will explore ways to make it easier for special schools and special Academies to enter the market to offer alternative provision.

P 73 Special schools

3.63 Under legislation we have introduced, all maintained special schools will in due course have the opportunity to become Academies.

P 73 Special Free Schools

3.69 We will, therefore, over time, encourage proposers of Free Schools to come forward in particular areas of the country to provide education for particular SEN or disabilities, encouraging a greater diversity of provision while driving up quality.

P 76 Stronger school accountability

3.72 To address this we will put in place Key Stage 4 and Key Stage 5 Destination Measures to ensure that schools and colleges are accountable for helping all their pupils prepare for success post-16 and post-18 by showing young people and parents how many of schools' and colleges' former pupils progress into further education, employment or training.

3.74 We propose to introduce new indicators into the performance tables relating to the progress of the lowest attaining 20 per cent of pupils. This would focus on those pupils entering a key stage who have not reached the expected national curriculum level. That is, it would show the proportions achieving at least two levels of progress from Key Stage 1 to Key Stage 2, and three or more levels of progress or the equivalent between Key Stage 2 and Key Stage 4.

3.80 In the most serious cases of long-term underperformance and little sign of improvement, special schools, like mainstream schools, will be converted into Academies and partnered with a strong sponsor.

3.81 To ensure that schools are directly accountable for pupils' progress and attainment, we will make more information about schools available in clear, standardised formats and online where possible, for example, attainment trends, and levels of attendance.

Chapter 4: Preparing for adulthood

P 80 Chapter summary 4.1-4.4

P 81 Planning for young people's futures

4.9 The Education Bill, currently before Parliament, includes provisions giving schools responsibility for securing access to independent, impartial careers guidance for their students, including those with SEN or who are disabled. In time, we intend that this duty should be extended to colleges.

4.10 Local authorities will retain their duties to provide young people (and young adults with learning difficulties or disabilities up to the age of 25) with targeted support to enable them to participate in education or training.

P 83 A broad range of education and learning opportunities

4.17 The DfE will build on the findings of the Wolf Review of vocational education to improve vocational and work-related learning options for young people aged 14 to 25 with SEN or who are disabled.

4.20 The National Citizen Service is a new six to eight-week programme that will bring 16-year-olds from different backgrounds together in a residential and homebased programme of activity

P 86 Employment opportunities and support

4.26 The Department for Work and Pensions will work with stakeholders – including those with expertise in SEN and disability – to ensure that our welfare reforms, and in particular the development of the Universal Credit, are flexible enough to support young people with SEN or who are disabled as they attempt to find work.

4.29 The Department for Work and Pensions will explore how the role of Disability Employment Advisers might be used more effectively to help disabled young people and young people with SEN make a smooth transition from learning to the world of work.

4.32 We will work with employers of all sizes to champion the benefits of employing disabled people, build on their existing good practice and ensure that their advice and input inform our thinking as we develop our ideas further.

P 88 A coordinated transition to adult health services

4.36 The Department of Health will explore how to improve joint working across children's and adult health services for young people aged 16 to 25. As part of this, the Department will explore the feasibility of GPs providing annual health checks for all disabled young people from the age of 16.

P 90 Support for independent living

Chapter 5: Services working together for families

P 93 Chapter summary 5.1-5.3

P 95 Local authorities and local health services will play a pivotal role in delivering change for children, young people and families

5.5 Local authorities and local health services will play a pivotal role in delivering change for children and young people with SEN or who are disabled, and enabling local professionals to work together to put in place integrated packages of support for families.

5.7 For children and young people with SEN or who are disabled and their families, there will be three core features of the local authority role:

- strategic planning for services that meet the needs of local communities:
- securing a range of high quality provision for children and young people with SEN or who are disabled:
- enabling families to make informed choices and exercise greater control over services

5.10 The Department of Health will work with the health sector and with the new Health and Wellbeing Boards, as they develop, to consider how the needs of all children and young people, including those with SEN or who are disabled, can best be taken into account through the Joint Strategic Needs Assessment, joint health and wellbeing strategies, guidelines and standards from NICE, and health service outcomes frameworks.

P 97 Reducing bureaucratic burdens on professionals

5.20 We will simplify and improve the statutory guidance for all professionals working with children and young people with SEN or who are disabled from birth to 25 so that it is clear, accessible and helpful, and we will withdraw guidance that does not provide useful support. We will review and update the Code of Practice to reflect reforms introduced following this Green Paper.

5.23 We will remove advice on using IEPs and encourage schools to explore the ways in which these and other new approaches can be used to enable pupils with SEN to develop, progress and fulfil their potential.

P 99 Empowering local professionals to develop collaborative, innovative and high quality services

5.32 In order to improve the specialist support and advice available to schools and other professionals working with children and young people with SEN or who are disabled, we are supporting the work of the voluntary sector Trusts that bring together the key organisations for speech, language and communication needs, dyslexia and autism to offer information and training. Since the first was established in 2007, these Trusts – the Communication Trust, the Dyslexia Trust and the Autism Trust – have brought together the key organisations in each of their respective fields to share knowledge and expertise, and have a strong track record of providing specialist advice and support to parents, professionals, services and local leaders.

P 103 Supporting the development of a high quality speech and language therapy workforce

5.41 A new national body, Health Education England (HEE), will be established to provide national oversight and leadership for workforce planning and education and training.

P 104 Supporting the development of a high quality educational psychology profession

5.46 The DfE will work with the profession and local commissioners to review the future training arrangements for educational psychologists.

P 107 Encouraging greater collaboration between local areas

P 108 Extending local freedom and flexibility over the use of funding

P 109 Enabling the voluntary and community sector to take on a greater role in delivering services

5.55 We will provide targeted funding to voluntary and community sector organisations that have a strong track record of delivering high quality services and the confidence of families and local communities.

5.56 As we have set out in chapter one, we propose to explore how the voluntary and community sector could take on a central role in coordinating the assessment process and provide the support of a key worker for families of children with SEN or who are disabled.

5.58 The DfE will publish shortly a further national SEN and disabilities voluntary and community sector prospectus that will set out the key areas in which we will make funding available and guidance for voluntary and community organisations that wish to bid for grants or contracts.

5.60 The SEN and disabilities strategic partner will act as a representative of the SEN and disabilities sector, and will work in partnership with the DfE to:

- provide specialist advice on key issues and developments that impact on voluntary and community sector organisations working with children, young people and families;
- help to build capacity in the voluntary and community sector; and
- disseminate information and enable the voluntary and community sector to engage in the delivery of new policies and programmes for children and young people with SEN or who are disabled and their families.

P 110 Exploring a national banded funding framework

5.63 One way in which we could improve parents' experience of the assessment process and make funding decisions more transparent to them is through developing a national banded framework for funding high-cost provision for children and young people with SEN or who are disabled, in addition to what is normally available in schools.

5.65 A national banded funding framework might set out high-level descriptions of the different types of provision for children with more severe and complex SEN or who are disabled, including, for example, additional curriculum support, therapy services, physical requirements, equipment, home-to-school transport, and family support (including short breaks). The framework would not, however, determine the financial tariff associated with a particular type of need.

5.67 We will work with a group of local authorities to explore whether and how a national banded framework for funding provision for children and young people with SEN or who are disabled could improve transparency to parents while continuing to allow for local flexibility.

5.68 As we have said earlier in this chapter, the review of school funding will consider how special educational provision for pupils with SEN in schools, Academies and Free Schools (mainstream and special), will be funded from April 2012 onwards.

P 112 Bringing about greater alignment of pre-16 and post-16 funding arrangements

5.71 We will explore how the different funding arrangements for special educational provision pre-16 and post-16 might be aligned more effectively so as to provide a more consistent approach to support for children and young people from birth to 25.

Next steps
Consultation
Questions
How to get involved
Bibliography

Downloadable from the DfE website or through <http://preview.tinyurl.com/5rnxd2e>

Feedback to be received by 30th June