

# Serious about...

special educational needs  
and disabilities?



# Serious about...

*meeting the needs of all children and young people with SEND?*



Local authority budgets have been cut substantially. Local government core funding will have fallen by 43% during the period from 2010 to 2015.

Local authorities are concerned that with additional responsibilities, funding to support provision for children and young people with SEND may not be sufficient or sustainable in light of 40% cuts to local authority budgets.<sup>1</sup> Uncertainty with regard to future reform of education funding could further undermine the provision of quality SEND provision.<sup>2</sup>

As a result, many local authority services for children and young people with SEND have been axed or reduced to only meet essential statutory needs.<sup>3</sup>

Schools are now responsible for meeting the needs of children and young people who would previously have received external support from the local authority, despite the fact that there has been no additional funding to support this.

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1 Local Government Association (2014) LGA Briefing for the Children and Families Bill.

2 Poet, H. (2012) *Changes to the Funding of Special Educational Needs and Disability (SEND) Provision: views of lead members* (LGA Research Report), NFER.

3 Local Government Association, LGA Autumn Statement submission, October 2013.

## Serious about...

*meeting the needs of children and young people with SEND who do not have an Education, Health and Care plan?*



The revised SEND Code of Practice replaced the statement of SEND with an Education, Health and Care (EHC) plan.

Most local authorities do not have the resources to conduct a large number of assessments or meet the needs of many children and young people with an EHC plan.

Changes to the definition of both level of need and how needs are met means that it will be more difficult for children and young people with SEND who do not have an EHC plan to challenge a decision not to provide a plan.

Without an EHC plan, there is no statutory entitlement to support.

## Serious about...

funding schools to meet the needs of children and young people with SEND?



The funding formula for pupils with SEND in mainstream schools means that schools are expected to contribute the first £6,000 of cost for additional education support for a high-needs pupil before they can access external funding.

SEND funds are delegated to schools. Schools can spend their SEND money as they see fit.

This may make it difficult to ensure that the funding has been spent on a particular pupil.

**Serious about...**

*tackling bullying and harassment of  
SEND pupils?*



Studies suggest that children and young people with SEND experience significant levels of bullying and harassment and are more likely to be bullied than their peers.<sup>4</sup>

A public consultation on the introduction of a new duty on schools to record and report incidents of bullying and harassment was concluded in March 2010. Following the General Election in May 2010, this work was abandoned.

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4 Green, Rosie; Collingwood, Aleks; and Ross, Andy (2010), *Characteristics of Bullying Victims in Schools* – DfE RR 001, National Centre for Social Research, London.

**Serious about...**  
*creating a fair and just society?*



The Academies programme allows private sponsors to run state-funded schools.

According to Government statistics published in 2013, sponsored academy schools are twice as likely to permanently exclude pupils compared to other schools.<sup>5</sup>

The same statistics reveal that pupils with a statement of SEND are eight times more likely to be excluded from school than their peers, and that pupils with SEND but no statement of SEND are 11 times more likely than their peers to be permanently excluded from school.

A report by the Children's Commissioner for England on the subject of illegal exclusion found that children with SEND, particularly those with statements of SEND, were most likely to be excluded from school illegally.<sup>6</sup> The Report recommended that the Government take urgent action. No specific measures have been introduced.

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5 Department for Education (2013), *Permanent and fixed-period exclusions from schools and exclusion appeals in England, 2011/12* (SFR 29/2013).

6 Children's Commissioner (2013), *Always Someone Else's Problem: Office of the Children's Commissioner's Report on illegal exclusions*, Office of the Children's Commissioner, London.

## Serious about...

*ensuring effective multi-agency  
working to support children and  
young people with SEND?*



The Government said that SEND reforms would seek to improve children, young people and their families' experience of the system by reducing bureaucracy and duplication, while improving inter-agency working across education, health and care services.

An evaluation<sup>7</sup> of a SEND pilot scheme in October 2013 found that a significant proportion of parent carers from families involved in the pilot had to provide the same information about their child on multiple occasions, further reporting that services were not working closely together.

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7 Department for Education (2013), *Important evaluation of the SEND Pathfinder Programme*, DfE – RR 281

**Serious about...**  
*implementing equalities legislation?*



The Equality Act 2010 makes it unlawful for schools and colleges to treat a pupil unfairly because of a matter connected to their disability.

Equality impact assessments require schools to use equality evidence as part of policy planning to establish how a proposed policy is likely to affect groups of people who share a protected characteristic and to take action to address any inequalities that they have identified.

The Government has declared that equality impact assessments are bureaucratic and unnecessary.

The free schools programme allows schools to be set up in disused buildings which may not be suitable or accessible for disabled pupils. Some free schools have already been set up in places of worship, old office blocks and other buildings which may not be adaptable for disabled children and young people.

**Serious about...**

*improving opportunities for young  
people with SEND?*



Eligibility for free school meals (FSM) was a key criterion for young people to qualify to receive an Education Maintenance Allowance (EMA), providing financial support worth up to £30 per week to enable young people to remain in full-time education beyond age 16.

Eligibility for free school meals is also the main criterion for allocating Pupil Premium funding to schools, providing £1,300 per eligible pupil of primary-school age, £935 per eligible pupil of secondary-school age, and £1,900 per eligible looked-after child.

Pupils with SEND are twice as likely to be eligible to receive free school meals (30.1%) compared to pupils without SEND (14.1%).

In 2011, the Government scrapped the entitlement to the EMA.

Despite costing £2.5 billion, Pupil Premium funding in schools is not ring-fenced, and therefore there is no guarantee that the funding will be used to benefit SEND pupils.

**Serious about...**

*high-quality teacher training to  
support SEND pupils?*



Since 2012 schools are no longer required to employ staff with qualified teacher status.

Increasingly, teacher training is being delivered in schools. Schools are free to design training programmes to suit their needs. There is no requirement for teacher training providers to include SEND-specific training in their training programme.

Significant proportions of newly qualified teachers (NQTs) report that their training has not prepared them adequately to teach pupils with SEND.<sup>8</sup>

The deregulation of standards for teacher training and the removal of the requirement for teachers to have Qualified Teacher Status could result in increased inconsistency in relation to the teaching of SEND pupils. The School Direct programme also includes no requirement for SEND-specific training for new teachers.

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8 Department for Education (2013) *Newly Qualified Teachers: Annual Survey*, DFE-RR306.

# Serious about...

*inclusion?*



Changes to the school accountability system mean that many practically based qualifications are no longer recognised in school performance tables.

These qualifications were often used to build a personalised study programme for a young person with SEND.

This enabled the school to engage the young person in education and develop skills to move successfully to adulthood and independent living. The pressures of the performance tables mean that many schools no longer offer such qualifications.

Are vulnerable children and young people with special educational needs and disabilities receiving the vital support they need?

**equality**  
**matters**



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