

Review of SEND Framework

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The House of Commons' Education Committee has reported on the implementation of the new Special Educational Needs and Disability (SEND) framework under the Children and Families Act 2014. The report is critical of the implementation of the new SEND framework and has identified a number of key issues which need to be resolved in order for the SEND framework to actually deliver on its aims. Those issues are aligned to the queries that we have advised upon over the last few years and will not come as a surprise to any school.

It is important to note that the reforms had an ambitious aim of transforming the SEND landscape to provide a child-centred approach underpinned by real multi-agency working. The Committee accepted that reforms were required (the previous system having been developed in the late 1970s) but that the implementation was not managed in such a way as to allow the aims to be realised. There are a number of key reasons that resulted in this failure:

- A lack of funding to support the overhaul of the SEND framework and, seemingly, funding not provided in line with the greater duties placed on local authorities in meeting the needs of children and young people from birth to the age of 25;
- A lack of genuine multi-agency working within the SEND system and a lack of accountability for ensuring appropriate provision was delivered, resulting in Education Health and Care Assessment Plans (EHCPs) being less effective and requiring other institutions, such as schools, to step in and make that provision from their reduced resources;
- A lack of guidance for schools to ensure a consistent and effective approach was taken to support SEND children without EHCPs;
- A lack of oversight nationally, with the Department for Education (DfE) taking a "hands off" approach and allowing local areas to develop bad (and sometimes unlawful) practice in response to the new SEND framework. There are examples of such bad practice in the recent [Local Government Ombudsman report](#).

Given the DfE has already committed to reviewing the SEND Code in 2020 following the Timpson Review, it will be interesting to see which of the Committee's recommendations are taken on board.

If you are facing challenges in relation to the framework and would like some assistance in helping to make the system more effective in your institution, please do not hesitate to get in touch.

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