

Special Educational Needs and Disabilities (SEND) and Alternative Provision (AP) Improvement Plan: Right Support, Right Place, Right Time

Summary

On 3rd March the government finally produced their response to the SENDAP Green Paper that was published in March 2022. The response is in the form of an Improvement Plan that outlines how the government is going to update the current SEND system.

This is a long-term plan with very little to take place before 2025 and beyond so schools need to continue to follow the legislation and guidance set out in the Children and Families Act 2014 and the SEND Code of Practice 2015 until such time as any changes are statutory.

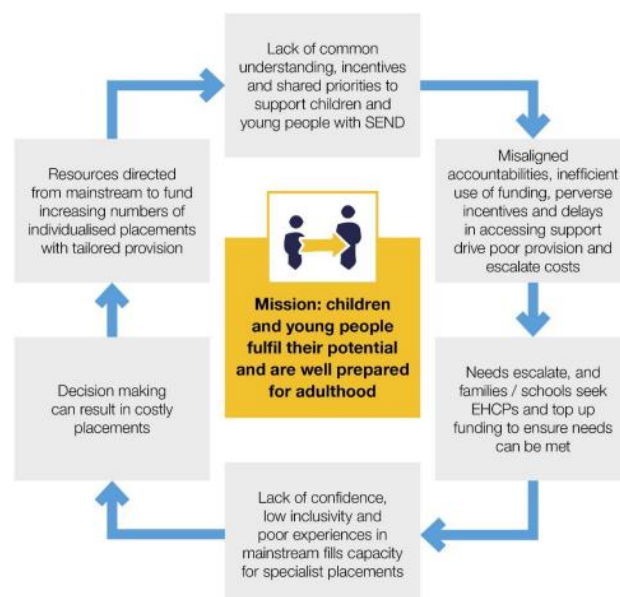
The Improvement Plan is set out over nearly 100 pages with 6 chapters and 3 annexes.

In this summary I have tried to reduce these pages into a short and concise summary of the key points that schools need to be aware of. The comments in italics are my personal reflections.

Chapter 1: Introduction

- The three key challenges identified in the SENDAR Green Paper were:
 - **fulfil children's potential:** children and young people with SEND (or attending alternative provision) enjoy their childhood, achieve good outcomes and are well prepared for adulthood and employment;
 - **build parents' trust:** parents and carers experience a fairer, easily navigable system (across education, health and care) that restores their confidence that their children will get the right support, in the right place, at the right time;
 - **provide financial sustainability:** local leaders make the best use of record investment in the high needs budget to meet children and young people's needs and improve outcomes, while placing local authorities on a stable financial footing.

Figure 1 outlines the vicious cycle of late intervention, low confidence and inefficient resource allocation.



- The publication of the Green Paper marked the start of an extensive and accessible 16- week consultation period: The DfE:
 - attended 175 events, hearing from over 4,500 people, including children, young people and families
 - received around 6,000 responses to the online consultation questions
 - received submissions from organisations and respondents directly through email.

You can read a full report of the feedback from the consultation [here](#).

- The Change Programme which has a commitment of £70 million to develop nine regional Expert Partnerships will help co-produce, test and refine key reforms.
- There will be three approaches to delivery:
 - **Support and stabilise:** The DfE will support and stabilise the system, getting local areas working in the best possible way within the current system to ensure that the needs of children and young people are met, without escalating costs, and to ensure that local authority deficits are brought under control. This includes supporting local authorities with financial deficits through the Delivering Better Value and the Safety Valve programmes.
 - **Delivering capacity to address supply issues:** In the short to medium term, they will take action to address supply issues – ensuring that there is sufficient support available for children and young people when they need it, in the most efficient way. This includes investing £2.6 billion between 2022 and 2025 to deliver new places and improve existing provision for children and young people with SEND or who require alternative provision, reducing the need for costly independent provision.
 - **Design and test for systemic reform:** Their £70 million Change Programme will create up to nine Regional Expert Partnerships that will test and refine longer-term systemic reforms including developing and testing National Standards, strategic partnerships and inclusion plans, the proposed alternative provision service and tailored lists. This will help guard against unintended consequences and build a strong evidence base to inform future funding and legislation.

Chapter 2: A national system underpinned by National Standards

- This is the government’s vision for an inclusive education system with excellent mainstream and specialist provision that puts children and young people first.

National Standards

- Set up engagement across education, health and care during spring 2023 to develop **National Standards**. They will work with a wide sector of parents, carers, children and young people as well as all professionals and ensure that will consider a wide range of perspectives.
- By the end of 2023 they propose to start testing some elements of the National Standards with Regional Expert Partnerships via The Change Programme.
- Publish, by the end of 2025, a significant proportion of the National Standards with a focus on those that are most deliverable in the current system.

LP: So, by the end of 2025 we will have a significant proportion of the National Standards – not all of them! The National Standards will need to be underpinned with legislation for education at the earliest opportunity to facilitate intervention in education settings if standards are not met. This cannot happen until the National Standards are complete (2026 and beyond!)

- National Standards will:
 - set clear and ambitious expectations for what good looks like in identifying and meeting a range of needs
 - provide clarity for children, young people and their families on what provision should be available through ordinarily available provision and for those with EHCPs
 - clarify what good evidence-based provision looks like, who is responsible for securing it and from which budgets
 - help families, practitioners and providers understand what support every child or young person should be receiving from early years through to further education, no matter where they live or what their needs are

LP: It references the [Portsmouth City Council Ordinarily Available document](#). Other local authorities have similar documents.

SEND and Alternative Provision

- To introduce local SEND and alternative provision partnerships that bring together partners to plan and commission support for children and young people with SEND and in alternative provision, meeting the National Standards. These provision partnerships will create evidence based local inclusion plans that will set out how the needs of children and young people in the local area will be met in line with National Standards
- The investment of £2.6 billion between 2022 and 2025 to fund new places and improve existing provision for children and young people with SEND or who require alternative provision

LP: This assumes that existing provision has the capacity to grow – many specialist settings and APs do not have any additional space to take more children.

- Approval of a tranche of applications from local authorities to open new special free schools in their area.

LP: New Free Schools can take many years to be fully operational, especially if new buildings are required. Many of these will not be fully operational until 2028+.

- The creation of a three-tier alternative provision system, focusing on targeted early support within mainstream school, time-limited intensive placements in an alternative provision setting, and longer-term placements to support return to mainstream or a sustainable post-16 destination.

LP: This assumes that our current alternative provisions have the staff to enable this to be rolled-out quickly. Recruitment and training could delay this.

Education, Health & Care Plans

- To work with stakeholders to deliver a standard EHCP template, with supporting processes and guidance from 2025. This will include testing the impact of a consistent approach to supporting local authority decision-making through the use of multi-agency panels.
- The development of digital requirements for EHCP systems to improve experiences for parents, carers and professionals, reduce bureaucracy and improve our ability to monitor the health of the SEND system

LP: This needs to be very carefully planned. We cannot have children and young people waiting four years to have their current local EHCP transferred to a national EHCP (this is what happened with the transfer from Statements to EHCP). Until this is mandated through legislation the government can only encourage local authorities to use a national format.

There will need to be significant investment in a digitised system that works across all local authority services including health and social care. Training will also be required to ensure a smooth transition to the digitised process

Other

- The development of innovative approaches for short breaks for children, young people and their families with £30 million in funding being allocated to new projects over three years.
- Carry out a review of social care legislation relating to disabled children so we can improve clarity for families about the support they are legally entitled to
- A requirement that local authorities improve information available to families and provide a tailored list of suitable settings informed by the local inclusion plan.

LP: Is this not what the Local Offer was set up for?

Chapter 3: Successful transitions and preparation for adulthood

The DfE's vision is of a SEND and alternative provision system which supports children and young people to successfully move through education and into adulthood, regardless of whether they have an EHCP, through the wide variety of routes available.

- To publish guidance to support effective transitions between all stages of education, and into employment and adult services
- To conduct a pilot to consider the evidence required to access flexibilities to standard English and mathematics requirements for apprenticeships
- To invest £18 million between 2022 and 2025 to double the capacity of the Supported Internships Programme
- Continue to support the Department for Work and Pensions' Adjustments Passport pilot to smooth the transition into employment
- Improve the Disabled Students' Allowance process, by continuing to work with the Student Loans Company to reduce the time for support to be agreed.

Chapter 4: A skilled workforce and excellent leadership

Any reform must build on the extensive expertise held by the sector and focus on setting consistent standards and incentives to build one united workforce around the child or young person.

- The introduction of a new leadership level SENCo (Special Educational Needs Co-ordinator) NPQ (National Professional Qualification) for schools.

LP: The government intend to replace the NASENCO with a mandatory leadership level SENCO NPQ for SENCOs who do not currently hold the NASENCO Award (this includes all those who became a SENCO prior to 2009 and were exempt from undertaking the NASENCO Award). There is no time-line for this but it could be at least September 2025 before the SENCO NPQ is available. In the mean time SENCOs must continue to undertake the NASENCO Award within three years of commencing their role.

- To review the Initial Teacher Training and Early Career Frameworks (commencing early this year). This includes developing guidance on special schools' involvement in ITT.
- To support excellent SEND leadership the government have begun development of a new MAT CEO development offer, introduced a new NPQ for Early Years Leadership and revised the NPQ for Headship to ensure they are able to support all pupils including those with SEND.
- To fund up to 5,000 early years staff to gain an accredited Level 3 early years SENCo qualification to support the early years sector, with training running until August 2024
- To increase the capacity of specialists, including by investing a further £21 million to train two more cohorts of educational psychologists in the academic years 2024 and 2025; and, in partnership with NHS England, as part of our £70 million Change Programme, pioneering innovative practice through running Early Language and Support for Every Child (ELSEC) pathfinder to improve access to speech and language therapy for those who need it.
- To publish the first three practice guides for frontline professionals, building on existing best practice, including the Nuffield Early Language Intervention, the work of the Autism Education Trust, and the government's guidance on promoting children and young people's mental health and wellbeing

LP: The first three guides will be available by the end of 2025

- To consult on the SEND Code of Practice to include new guidance on delivering a responsive and supportive SEND casework service to families
- To develop a longer-term approach for teaching assistants to ensure their impact is consistent across the system, starting with a research project to develop our evidence based on current school approaches, demand and best practice.

Chapter 5: Strengthened accountabilities and clear routes of redress

The DfE's vision is for a SEND and alternative provision system where decisions are made, collectively and consistently by partnerships and informed by robust data and evidence. This will be underpinned by strengthened accountabilities for all those responsible for local delivery

- To publish a local and national inclusion dashboard (showing metrics based on the local area rather than school-level from autumn 2023 to support the development of local inclusion plans, giving parents improved transparency of local performance, informing decision-making and driving self-improvement across the system with ongoing updates and iterations in response to user feedback.
- To deliver updated Ofsted and Care Quality Commission (CQC) Area SEND inspections from 2023 with a greater focus on the outcomes and experience of children and young people with SEND and in alternative provision.

LP: These have been in place since January 2023

- To create a ladder of intervention for local areas from 2023, greater powers for the Secretary of State for Health through the Health and Care Act 2022, and robust action for all where statutory duties for children and young people with SEND and in alternative provision are not met, to strengthen accountabilities across all parts of the system
- To require every Integrated Care Board to have a named Executive Board member lead accountable for SEND

- To facilitate a more joined-up response between the Department for Education and NHS England to improve outcomes and experiences for children and young people with SEND, including social, emotional and mental health issues, and tackle systemic failings leading to significant concerns
- To strengthen the redress for individual disagreements by clarifying who is responsible for resolving complaints and undertaking further testing of effective mediation approaches

Chapter 6: A financially sustainable system delivering improved outcomes

These reforms will be a significant change to the high needs system and will require reforms to funding arrangements to support their delivery

- To increase core school funding by £3.5 billion in 2023-24 compared to the year before, of which almost £1 billion of that increase will go towards high needs. This means high needs funding will be £10.1 billion in 2023-24.

LP: Unfortunately, most local authorities' high needs budgets are in deficit and there is a concern that this additional funding will only help to redress this and not provide additional funding to support the implementation of the proposed changes

- To develop a system of funding bands and tariffs so that consistent National Standard are backed by more consistent funding across the country

LP: This will provide a consistent, national SENDAP funding structure, recognizing that similar types of support are backed by similar levels of funding whilst recognizing that there will need to be some local variation.

- Publish a response to the consultation on the schools National Funding Formula in 2023 which includes proposals on funding for SEND, including the notional SEND budget, and a mechanism for transferring funding to high needs budgets.
- Develop new approaches to funding alternative provision aligned to their focus on preventative work with, and reintegration of pupils into, mainstream schools.
- Re-examine the state's relationship with independent special schools to ensure we set comparable expectations for all state-funded specialist providers.

Related Information

[SEND and alternative provision improvement plan](#) – DfE – 2nd March

[SEND and alternative provision roadmap](#) – DfE – 2nd March

[nasen](#) responds to the publication of The SEND and Alternative Provision Improvement Plan and various summaries

[Special Needs Jungle](#) have a number of related articles

[SENDcast](#) interview with Claire Countinho, Parliamentary Under Secretary of State at the Department for Education

[Schools Week](#) - SEND review improvement plan: Everything schools need to know

