

Rt Hon Bridget Phillipson
Secretary of State for Education
Department for Education
Sanctuary Buildings
Great Smith Street
London
SW1P 3BT

3 September 2024

Dear Secretary of State,

We are writing to you in relation to the 'SEND (Special Educational Needs and Disabilities) crisis' which, while widely acknowledged, is not necessarily understood in the same way by all parties.

It is well known that we have:

- A 72% increase in the number of Education, Health and Care Plans (EHCPs) since 2019.
- A 283% increase in agreements to requests for Education, Health and Care Needs Assessments since 2015.
- A 250% increase in appeals to the SEND Tribunal since 2015.
- Over 20% of students recorded as 'persistently absent', likely related to emotionally-based school non-attendance.
- An increase of 33,485 students attending alternative provision and special schools since 2015.
- Increasing numbers of Local Authorities unable to fulfil their statutory SEND requirements and experiencing associated financial unsustainability.
- 17% of pupils in England identified as having SEND (January 2023), indicating one in six children and young people are unable to successfully access the curriculum without support or adjustments.

In order to understand the factors underpinning the current crisis so that it can be addressed, we need to stop looking at the 'SEND System' in isolation and consider the wider education system as a whole.

A series of well-intended developments, policies, and practice introduced in good faith have combined to result in a fragmented system characterised by multiple examples of competing pressures and inconsistent legislative frameworks. Combined with chronic underfunding, the cumulative impact of these unintended consequences is to disproportionately disadvantage children and young people who need something additional or different to access education.

- The 2014 National Curriculum was introduced with intentions to raise educational standards but in doing so brought a much more rigid, prescriptive and narrow focus to learning with increased expectations for attainment at the end of each Key Stage. This came in the context of high-stakes performativity measures for both schools and individual teachers, (no doubt aimed to increase school performance) and a culture of competition between schools (aimed to provide more of a sense of parental choice). However, these were not congruent with the flexibility and adaptations needed for inclusive education. This was accompanied by considerable costs to school budgets (often reported as 8% in real terms), the wider impacts of austerity, the aftermath of COVID and much reduced access to external services such as mental health professionals and educational psychologists. As a result of all of this, the capacity of schools to provide the flexibility and resourcing that is required for inclusive education has been significantly reduced.

- Local authorities are responsible according to the Children and Families Act (2014) and SEND Code of Practice (2015) for ensuring access to provision for children and young people who need something different or additional to access education and for securing educational placement. However, since the Academies Act (2010), Local Authorities have very little power and no effective mechanism to hold academy schools to account, nor are they able to build new schools (mainstream or special) themselves, having instead to rely on negotiations with MATs or with central government in relation to free schools. This comes in the context of the huge increase in the demand for statutory assessments and special school requests already outlined, a severely depleted workforce, including educational psychologists, and a 21% cut in funding to local authorities since 2012.

Within the landscape outlined above, it is not possible to 'try to fix SEND' without looking at the role of other parts of the system in contributing to and maintaining the current situation. **This must include a repositioning of 'SEND' within the wider education system so that it is no longer viewed as a 'bolt-on' or afterthought as it is now. Rather, those children and young people who need something additional and/or different to access education must be considered as central to all educational policy.**

Instead of providing solutions, the current approach has led to parts of the system blaming each other:

- Schools are blamed for not being inclusive enough when true inclusion is impossible within current competing pressures and stretched resources and with teachers often feeling that they don't have adequate training in how to support students with additional needs, including the application of reasonable adjustments ([Independent review of teachers' professional development in schools: phase 1 findings - GOV.UK \(www.gov.uk\)](http://www.gov.uk)). School staff often report experiencing a sense of professional fatigue associated with not being able to provide the flexibility and support for the children in their classes that they would like to, or were able to, 15 years ago.
- Parents are blamed for being 'pushy' or 'demanding' when what they are doing is advocating within a system which was not designed with their children in mind. Families are too often bearing the impact of limited capacity for responsiveness within systems so that children are often in crisis before they begin to access the level of support required. This often has serious implications for families, including huge emotional impacts, as well as difficulties with maintaining employment when their children are not able to access education (full time or otherwise), therefore resulting in serious difficulties with financial stability
- Local authority staff are blamed for not being able to meet their legal obligations in the concurrent and opposing vice-like constraints of financial strangleholds (since 2012), the demands of interventions such as Safety Valve, Delivering Better Value and Change Programme, which are all predicated on local authorities having control of rates of requests for Education, Health and Care Needs Assessments and special school places which the Children and Families Act and SEND Code of Practice don't allow for. They are blamed for not providing enough support and early intervention in a context where the workforce crisis for support services has been growing over the last decade and a half. As an example, 96% of Local Authorities report difficulties with recruiting and retaining educational psychologists.
- Most alarmingly of all, children and young people are increasingly being blamed in narratives around behaviour, in particular on social media, for not being engaged enough in education. Given that fewer than a quarter of children eligible for free school meals pass combined maths and English at GCSE, it is not unreasonable to understand 'low attainment' as a result of

external factors. Indeed, issues within the SEND and wider education system disproportionately disadvantage children and young people from marginalized communities, including Black, Asian, and Minority Ethnic (BAME) students, those from low-income backgrounds, and those with additional vulnerabilities. For many children and young people, their educational experience is not accessible, meaningful or purposeful. We can't blame teachers for this; they are obliged to teach to the curriculum.

Our children and young people need a coordinated and united approach to improving the education system, and an end to the current culture of blame.

It is in your power to be part of the solution. We ask you to please raise awareness of the broken, 'bolt-on' approach to SEND with your colleagues in the Department of Education and the Treasury. Please could we ask you to request that any response is not limited to reference to the SEND and Alternative Provision Improvement Plan, which does little to address these issues, or any funding initiatives for local authorities already mentioned. Please press your colleagues to engage with a full review of the whole education system and curriculum to address the inconsistencies outlined here, and to place the needs of those with additional needs at the forefront so that all children and young people can access a meaningful and relevant educational experience within which they can thrive and have a sense of belonging within their own communities.

The profession of educational psychology, represented through our joint liaison professional group (LA Principal Educational Psychologists, Training Programme Directors, AEP Professional Union, Division of Child and Educational Psychology at the British Psychological Society) would like to constructively engage with the DfE to co-produce a way forward. We are keen to work with the new government to work towards a solution to the issues identified, and so set an ongoing relationship where we are at the table for informed decision-making around holistic education policy.

Very best wishes and many thanks,

- Association of Educational Psychologists
- British Psychological Society's Division of Educational and Child Psychology
- National Association of Principal Educational Psychologists
- Action Cerebral Palsy
- Afasic
- Centre for Studies on Inclusive Education
- British Dyslexia Association
- Disabled Children's Partnership
- Equals
- National Development Team for Inclusion
- Special Needs Jungle
- Thomas Pocklington Trust
- Down's Syndrome Association
- Contact
- Square Peg
- World of Inclusion

