



October 19, 2022

f40 welcomes SEND Review but additional funding and change required

Dear SEND Review Team / Department for Education

I am writing to you as the Chair of the f40 group, which campaigns for fair and increased education funding, including around the provision for children with Special Educational Needs.

We would like to meet with you to discuss the future of High Needs and the SEND Review Green Paper, which was published earlier this year.

f40 has raised major concerns about the crisis in SEND for a number of years, so was pleased when the Department for Education was finally able to publish its long-awaited SEND Review.

It is heartening to see that the review touches on many of the problem issues within SEND, such as the sharp rise in EHCPs; the need for better partnership-working between health and education; the need to make mainstream more inclusive; and provision for 19-25-year-olds.

However, despite the positive aims of the review, we have serious concerns over how achievable they are without further changes to the system and significant extra funding to both the education and health sectors. The review makes no mention of additional investment or financial modelling, and we fear that without it, the review will have little to no impact.

Possible solutions to some of the problems

1 The new standards and benchmarks you look to introduce will require strong support and guidance for mainstream schools, and for parents to manage both their expectations and obligations. However, they will be null and void if schools and local authorities have insufficient funding to meet them. More funding is required in order to raise standards and level the playing field in provision.

2 At present, there are insufficient people to fill the current number of vacancies, let alone the additional posts required to meet growing need or the aspirations of the Green Paper. People are leaving the health and education sectors to take up better paid jobs in other industries. To strengthen the system, we will need new pathways to professional careers that attract and retain high calibre, qualified and experienced people in roles that are valued.

Additional funding is also required to train people in these additional posts, including in the SEND process, and salaries must be competitive.

3 We feel the process for building new special schools to support growing need is too slow and delayed by red tape. The process needs to be sped up and streamlined. This will enable local authorities to provide additional provision in their local area more quickly, reducing the need for costly independent provision.

4 A guide around what is considered reasonable and acceptable good local authority provision, based on need, should be provided to both parents and local authorities when suitable placements are being sought for children with SEND. This will help to reduce the number of costly tribunals, which are currently heavily weighted towards parents. Where a local authority can meet the needs of a child with SEND, there should be no reason for a parent to request costly independent provision.

Growing number of pupils with SEND and increasing complexity of need

Many of the issues faced by the SEND sector – including the growing deficit budgets of all local authorities across England – are due to the growing number of children with SEND and the increased complexity of need, and the fact that budgets have not been increased to match demand. Place funding, which was introduced to provide a level of basic stability to a special school budget, has not increased since 2014.

This is all at a time when the cost of living crisis is placing even greater pressure on schools – many of which will be struggling to pay their energy costs alone this year.

Changes to the SEND Code of Practice 2014, which extended responsibility to include people aged 19-25 with special needs and led to a sharp rise in the number of EHCPs, were introduced without thought to the financial implications and without the necessary extra funding. Those changes, coupled with a lack of investment, have led to the crisis we now see.

SEND must now be funded for today's needs, rather than the needs of the past. These suggested improvements, which could place a further burden on local authorities, must be costed and financed properly or the problems will only worsen.

The high needs deficit is expected to be £1.4bn by March 2023 and £2.4bn by March 2025. This is not due to financial mismanagement, but down to insufficient funding and a set of expectations that do not meet reality. We urge Government to settle these deficit budgets now before we embark on any changes from this review.

The extra financial burden on local authorities will jeopardise the education of today's vulnerable children. The lack of funding across education will also limit how inclusive mainstream schools can be of SEND – which is the cornerstone of the review. Without major investment, we fear the SEND Review Team and the Department for Education do not fully grasp the enormity of the problem and the perilous position many local authorities will be in if their deficit budgets continue to grow.

We would welcome an opportunity to meet with you to discuss these issues further.

Kind regards



Cllr Alex Dale

Chair of f40 and Cabinet Member for Education at Derbyshire County Council

Cc The Rt Hon Kit Malthouse MP
Education Secretary

Cc The Rt Hon Jeremy Hunt MP
Chancellor of the Exchequer

Cc Baroness Barran MBE
Minister for the School and College System

Cc Kelly Tolhurst MP
Minister for Schools and Childhood

CC Jonathan Gullis MP
Minister for School Standards

Cc Karen Westcott
Secretary of the f40 group
karen@dtw.co.uk
07545 210067