



SEND Green Paper



key points from the Green Paper



nasen's response



feedback from the SEND summit

The Green Paper Summit

When the Green Paper on Special Educational Needs and Disability was released in March, nasen's [Lorraine Petersen](#) was on hand to report on the main areas it covers



Although it was envisaged that the Special Educational Needs and Disability (SEND) Green Paper would have been released prior to the event, the SEND Summit on 9 March offered a unique opportunity to gather feedback at the moment it was released. Sarah Teather was unable to attend to answer questions directly, but Phil Snell from the Department for Education (DfE) was there to answer questions before and after delegates had read the executive summary.

Breaking it down into the five strands, the Paper is looking to cover:

- > Early identification and support
- > Giving parents control
- > Learning and achieving
- > Preparing for adulthood
- > Services working together for families.

The key points from each strand are summarised below.

Early identification and support

- > Early identification of need
 - Health and development review at two to two-and-a-half years.
- > Support in early years from health professionals
 - Greater capacity from health visiting services.
- > Accessible and high quality early years provision
 - Tickell Review of Early Years Foundation Stage
 - DfE and Department of Health joint

policy statement on the early years

- Free entitlement to 15 hours for disadvantaged two year olds.
- > A new approach to statutory assessment
 - Education, Health and Care (EHC) plan to replace the statement.
- > A more efficient statutory assessment process
 - Department of Health to improve the provision and timeliness of health advice
 - Reduce time limit for current statutory assessment process to 20 weeks.

Giving parents control

- > Supporting families through the system
 - Continuation of Early Support resources.
- > Clearer information for parents
 - Local authorities to set out local offer of support
 - Requirements on schools to publish SEN information to be slimmed down.
- > Giving parents more control over support and funding for their child
 - Individual budget by 2014 for all those with an EHC plan.
- > A clear choice of school
 - Parents will have rights to express a preference for a state-funded school.
- > Short breaks for carers and children
 - Continue to invest in short breaks.
- > Mediation to resolve disagreements

- Use of mediation before a parent can register an appeal with the tribunal.

Learning and achieving

- > Developing excellent teaching practice for SEN in schools and colleges
 - Initial funding for initial teacher training – increase placements in special schools
 - Outstanding special schools can apply to be teaching schools
 - Continued funding for the SENCO Award.
- > Effective leadership is critical to changing the ethos and approach in schools and colleges.
- > Getting the best from all school and college staff.
- > The Achievement for All approach developed across the country.
- > Challenging low expectations of, and targeting support for, children with SEN
 - Every Child a Reader and Every Child Counts transition funding
 - Phonics-based training
 - Replace School Action and School Action Plus with single school-based SEN category.
- > Identifying and tackling the causes of difficult behaviour
 - Anti-Bullying Alliance to share good practice
 - Trial of new exclusions system
 - Improving access to wider behaviour support.
- > Special schools can become academies.
- > Special free schools.
- > Stronger school accountability.

Preparing for adulthood

- > Planning for young people's futures.
- > A broad range of education and learning opportunities
 - Wolf Review.
- > Employment opportunities and support
 - Role of disability employment advisers.

- > A co-ordinated transition to adult health services
- Joint working across all services.
- > Support for independent living.

Services working together for families

- > Local authorities and local health services will play a pivotal role in delivering change for children, young people and families.
- > Reducing bureaucratic burdens on professionals.
- > Empowering local professionals to develop collaborative, innovative and high quality services.
- > Supporting the development of high quality speech and language therapy workforce and educational psychology profession.
- > Encouraging greater collaboration between local areas.
- > Extending local freedom and flexibility over the use of funding.
- > Enabling the voluntary and community sectors to take on a greater role in delivering services.
- > Exploring a national banded funding framework.
- > Bringing about greater alignment of pre-16 and post-16 funding arrangements.

Question time

The summit provided an instant forum not only for discussion but also to get a response to questions prompted by the Green Paper. As you might imagine we could fill an entire issue of *Special* with the responses on the day, but here is a selection of key questions that were raised and answered.

Why do the Government and Ofsted expect SEN pupils to make two full levels of progress across the Key Stage?

It is a misunderstanding that Ofsted expects pupils with special needs to make two full levels of progress. If you look at the guidance on our site to inspectors it doesn't specify this figure.

Who will monitor provision and outcomes for SEN children with the diminished role of the local authority (LA)?

We still see a role for local authorities in monitoring provision but the



pathfinder projects will be looking at other bodies such as the third sector.

What is happening with the online self-evaluation form (SEF)?

It is envisaged that the online element of the SEF will be removed by the summer term. Schools wishing to use their SEF information would be wise to transfer the information as soon as possible.

It is clear that there is a growing demand for therapy support, especially speech and language therapy. It is often unclear to schools as to who has the responsibility to fund this. Is it the LA, Health or a combination of these?

Pathfinder projects will flesh out who takes responsibility for the elements that make up provision.

Education, Health and Care will be required to work together

General points

Within general discussions leading on from the questions, these points were also raised:

- > It is proposed that there will be a performance indicator for SEN on performance tables.
- > The circumstances that lead to a statement being initiated will be carried forward for the new system.
- > It isn't envisaged at the moment that Ofsted will monitor the role of health providers.
- > Education, Health and Care will be

required to work together to meet the needs of children and young adults.

- > Personal budgets won't always be a cash allocation.

Delegates were also asked to submit points they wanted raised in the consultation process and these proved very enlightening. Here is a brief selection of the questions and comments, organised by setting:

Primary schools

1 There is a danger of inflating parental expectations without the necessary funding to deliver what is in the 'new' plan.

2 Who will lead on the development of the plan?

3 I really like the concept of a joint Education, Health and Care plan, but we will need to be very clear about how it works for the 19–25s when funding transfers to adult services.

Special schools

1 Funding for short breaks is surrounded in expensive bureaucracy.

2 For academies and free schools which are also special schools, what about access? Quality? Funding? Accountability?

3 Parental choice will still be a battle if they want something specialist from outside their own LA/area.

4 A worthy idea but fraught with potential pitfalls around expectations, availability of services, funding and capability.

5 Mediation – excellent! How will this be supported to ensure realistic expectations?

6 How will parents be held to account >

> in the spending of personalised funding streams?

Secondary schools

1 Will there be consistency across LAs in support services for families?

2 What will personal budgets actually cover? Services, equipment, care, short breaks, residential, occupational therapy, physiotherapy? Who will decide on the type of equipment when there is disagreement between professionals?

3 How will parents know the difference between quality and quantity of engagement, for example via therapy services?

4 Voluntary parent-led organisations can be extremely competitive and subjective. How is the voluntary and community support going to be monitored and quality assured?

Other organisations

1 Early intervention and diagnosis should not prevent assessment and monitoring of children later on because of new or deteriorating conditions.

2 Will there be more clarity about the implications of what 'performance indicators' will mean for special schools/league tables?

3 If a private company is involved in service provision, who will quality assure this?

Responses from other organisations

Many third-sector organisations were quick to respond to the Green Paper and echoed points from the Summit.

'We do have concerns too. LAs provide valuable SEN support services and we don't yet see how these fit in. We are not clear either on who will assess children's needs and where the "trained key workers" will find their expertise.'

'Low incidence disabilities are just that. To be honest most LAs and primary care trusts are too small to provide expertise in each aspect of severe and complex special needs – academies and GP practices will be smaller and will struggle to offer the full range of expertise to parents.'

According to Martin Littler, Founding Chairman of the British Assistive Technology Association, 'We are disappointed that the Green Paper

does not specifically mention the positive role of creativity in supporting the development of a child with special educational needs.'

Jenny Young, Sing Up's Beyond the Mainstream Manager, says, 'We have evidence of the unique and powerful role that creativity can play in the lives of children and young people with special educational needs. Creative processes are holistic and value the voice of the child, and can help professionals spend more of their time actually working with and supporting children and their families.'

Nasen's response

We feel that it is really important that parents and families are at the heart of their child's development both before, during and after education. If we have a system and structure that supports them, nasen hopes that this will break down many of the barriers that were highlighted by Brian Lamb in his report. We need to acknowledge that some parents will need more support than others in ensuring that they have and understand all of the information they need to make the correct choices for their child. With the reduction in key personnel at local authority level nasen has a concern that those advocates will not be available for parents to turn to.

We are delighted that there is an additional year's funding for the Award for SEN Co-ordination and we will work with the DfE and the providers to ensure that the standard of this training is maintained and that the course content is reviewed in light of the changes outlined in the Green Paper. The SENCO will need to be at the forefront of the implementation of all of the guidance issued, and nasen will support them in this.

Nasen has expressed concern on a number of occasions with regard to SEN professional development for all teachers. We welcomed the introduction of SEN modules for BED students as well as PGCE students. The Inclusion Development Programme provided some very specific training in four key areas. The specialist training for visually impaired, hearing-impaired and multi-sensory impaired and for dyslexia teachers was always meant for more advanced study as will be the new

modules developed from the Salt and Lamb reviews. Nasen is delighted that it has been given the opportunity through DfE funding to provide whole-school raising awareness training on SEND. This will ensure that every teacher has some basic knowledge about SEND and the changing needs of 21st-century children.

The previous administration's Every Child Matters agenda sought to bring together multi-professional teams to support the child and deliver multi-agency expertise to meet their needs. A clearer, less bureaucratic system is needed to make this more effective, less time consuming and not dictated by who pays for what! Serious consideration also needs to be given to how we facilitate professionals from Health and Education to work together for the benefit of the child.

We urgently need more clarification on funding

The recommendations also need to be seen alongside the Education Bill, NHS White Paper and the future development of academies and free schools. We urgently need more clarification on funding and how this will all be paid for, including where the pupil premium fits in.

It must be remembered that this article is only a snapshot of the initial reaction to the SEND Green Paper. Nasen would urge all interested parties to use the consultation period to respond to the Green Paper. It is a real opportunity to influence future policy and practice and ensure that the next system is fair and equitable for all children and young adults regardless of need, setting or local authority.

Next steps

The four-month period of consultation has already begun and you will be able to contribute to the consultation at nasen Live. It is envisaged that a period of testing proposals will begin in September 2011 and legislative changes will be taken forward from May 2012.

Lorraine Petersen is the Chief Executive Officer of nasen.