



**Nadhim Zahawi MP**

Parliamentary Under-Secretary of State for Children and Families

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House of Commons  
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5 December 2018

Dear Cheryl and Mark,

In November last year, you published your report *Autism and education in England 2017*, which reviewed how the education system in England is working for children and young people on the autism spectrum. The Secretary of State was pleased to speak at its launch in January and my predecessor, Robert Goodwill, offered an initial response to Cheryl as Chair of the APPGA on 28 November 2017. I am today offering a fuller Government response.

The APPGA report was welcome and timely in providing an informed understanding of how the education system is working for families who have children with autism. My ambition for children with autism is the same as that for all our children: I want them to reach their full potential, access opportunities and employment and lead happy and fulfilled lives.

Your recommendations along with those made by Christine Lenehan in her review of residential special provision, the *Bercow: 10 years on* report, as well as the on-going inquiry of the Education Select Committee, have all helped inform government thinking and our reform programme for children and young people with special educational needs and disabilities (SEND). In his speech to the Association of Directors of Children's Services (ADCS) on 5 July, the Secretary of State set out how we are focussing on the role of mainstream schools to include and support children and young people with SEND. It also said how we are improving the way education, health and social care services work together provide and commission provision, and how we are increasing our efforts to help young people with SEND access opportunities and employment to live fulfilled lives. This focus will benefit all children and young people with SEND and their families including those with autism.

We have made good progress in meeting children and young people's needs. We know however, that the experiences of children and their parents is not yet consistent across the country. Too many parents still feel that they have to fight to access services for their children. My focus now is to drive up the quality of education, health and care plans (EHC plans) and further embed the principles of SEND reform in schools, local authorities and health bodies.

Your report highlights some key challenges and makes a number of important recommendations, many of which we have made some progress in addressing. The SEND reforms are a work in progress and in an area as complex and evolving as this, there is always more we can do to meet our ambitions.

### **Publishing an autism strategy**

You have asked us to establish an autism and education strategy to ensure school staff are trained; that reasonable adjustments are made in schools; inclusion is promoted; and local authorities receive guidance on commissioning provision. The Department for Education is already working with the Department of Health and Social Care to contribute to the Government's Adult Autism Strategy, *Think Autism*. We will extend this strategy to children and young people to provide a more comprehensive Government approach. This pivotal review will help to find out how we can further our understanding of all forms of autism, improve how children and adults are supported and transform the life outcomes for people with autism. We are also doing much in this area through implementing the SEND reforms. And we are investing in a range of activities to develop materials and to train staff, as I set out below.

### **Autism awareness and training of school and local authority staff**

Two of the key recommendations in your report focus on training in autism, the SEND system and the Children and Families Act 2014, for schools and local authorities. We want every school to be a school for pupils with SEND and every teacher a teacher of pupils with SEND. Our SEND implementation programme includes equipping and incentivising schools to offer good and effective support for all children and young people with SEND, whether on SEN Support or if they have an Education, Health and Care (EHC) plan. Schools must ensure that staff can meet the needs of children with SEND as part of their approach to school improvement, professional development and performance management.

We will be enhancing the package of support available for newly qualified teachers at the start of their careers to equip them with the skills and expertise to support all pupils in their classrooms, including those with SEND. This has been developed in collaboration with the teaching profession, including SEND specialists, and further details are due to be announced in early 2019. All new qualified teachers and early years educators must satisfy the Teaching Standards, which include a requirement that they have a clear understanding of the needs of all children and pupils, including those with SEND, and are able to use and evaluate distinctive teaching/learning approaches appropriately. DfE initial teacher training (ITT) guidance, although not mandatory, includes specific types of SEND, including

autism, and how ITT providers should equip teacher trainees to support pupils with SEND, referring to the guidance in the statutory SEND Code of Practice.

Since 2014 we have funded a range of organisations to develop resources and training to equip the workforce, including specialist resources in relation to autism. You will know that the Autism Education Trust (AET) have been delivering autism training to education staff since 2011 and have reached more than 190,000 staff. In March we awarded a £1.45 million two-year contract extension to continue the expansion of training delivery partners. We are also funding the National Autistic Society on exclusions work and Ambitious about Autism to continue their work on transition to college. All the materials funded by the Department are hosted on the [SEND Gateway](#), an online portal offering education professionals free access to high quality information, resources and training to meet the needs of children with SEND.

We also have in place a new £3.4 million two year contract with Nasen and University College London on behalf of the Whole School SEND Consortium to embed SEND within approaches to school improvement and to equip the school workforce to deliver high quality teaching across all types of SEND. The programme of work includes building a Community of Practice with the involvement of 10,000 schools by 2020 and 15,000 schools by 2022, across the eight Regional Schools Commissioner (RSC) regions. These schools will have signed up to a commitment to prioritising SEND in their own schools, supporting the prioritisation of SEND in other schools, working to build evidence based and effective practice into their school improvement plans, Continuing Professional Development and training.

New SEND regional leads will help build a 'Community of Practice'. They will also help identify regional improvement priorities and facilitate the exchange of knowledge and expertise. The AET is part of the consortium delivering this programme of work. We are also continuing to fund the SEND Leadership programme for senior local authority managers of education and social care to help them and their teams deliver the SEND reforms. We have also funded IPSEA to train local authorities and support professionals in their statutory responsibilities. In addition, we are continuing to provide funding of £6.68 million in 2017-18 for the training of Educational Psychologists.

### **Data collection to inform planning and commissioning.**

Your report highlighted the need for local authorities to collect data on children and young people with SEND, including those with autism, to effectively plan and commission the places and services needed. Local authorities are statutorily required to keep the provision for children and young people with SEND under review (including its sufficiency), working with parents, young people, and providers. This must be reflected in their published local offer of SEND provision and services. We believe that these responsibilities are discharged most effectively when there is a strong partnership between the local authority and education providers, and a shared understanding of where different types of need are best met.

The Department committed £23 million of additional funding in 2016 - 2017 to support local authorities to conduct strategic reviews of their SEND provision. We have also invested £265 million of capital funding to help local authorities develop provision for children and young people with EHC plans - for example, to build new places at mainstream and special schools, and to improve existing places to benefit current and future pupils.

The department establishes new special schools through the free schools programme. As of 1<sup>st</sup> November 2018 there are 34 open special free schools in England, and a further 55 due to open in future. Some of these offer provision for children and young people with autism. On 24 July, building on the success of the recent special free schools wave, we launched a joint special and alternative provision (AP) free schools wave, which allows local authorities to set out their case for why a new special or AP free school would benefit their area. The deadline for local authorities to submit a bid was 15 October 2018. We received 65 bids, some of which are for schools for children and young people with autism, and we are now in the process of assessing these. We are looking to approve around 30 new special and AP free schools in total in this wave, and in early 2019, we will invite applications to find trusts to open the schools in the successful local authority areas.

We require local authorities and clinical commissioning groups (CCGs) to jointly commission SEND provision to meet educational, health and care needs informed by clear assessments of local needs. My department is working with the Department for Health and Social Care and NHS England to set up an external board that will focus on effective commissioning following on from the Lenehan Review. The board will look to draw on data and insight from a range of users, providers, and third sector organisations, and share principles, tools, good practice and guidelines, across the SEND system.

### **All children and young people with a diagnosis of autism spectrum disorder should have an education, health and care (EHC) assessment**

I understand that you want children and young people with a diagnosis of autism get the help they need, but do not agree that this means that they all need an EHC needs assessment and a plan. The SEND system is aimed at identifying a range of children's diverse needs, so that schools and colleges review children's progress via a cycle of assessment, planning, intervention and review. SEN support is delivered through this 'graduated approach'. Where this approach is applied in a timely and effective way, the majority of children and young people including some of those on the autistic spectrum, can and do achieve well in their education without an EHC assessment or subsequent EHC plan.

A formal assessment with the local authority and key partners is only needed when a child or young person fails to make the expected progress and additional provision is needed. In January 2018 14.6% of the school population were identified with SEN and just 2.9% of these had a statutory EHC plan. There were 119,909 pupils with an autistic spectrum disorder (ASD) identified as their primary SEN at state funded primary and secondary schools and maintained/non-

maintained special schools in England. Of these 55% have an EHC plan or statement whilst 45% are on school SEN support.

### **Accountability of local authorities, schools and academies to adhere to the Children and Families Act 2014 and SEND Code of Practice**

Three of your report's recommendations are on the theme of accountability – how local authorities and schools are meeting the Children and Families Act 2014 in respect of the SEND requirements.

We published a [local and national accountability framework in 2015](#). In 2016, Ofsted and the Care Quality Commission (CQC) began a five year programme of inspections of SEND arrangements in all local areas in England.

From December 2018, Ofsted and CQC will be revisiting the local areas that were asked to provide 'written statements of action' following their inspection. This will normally be within 18 months of the original area inspection and will focus on progress made. It will identify where further work is needed, and enable local areas to demonstrate the improvements they have made in delivering better outcomes for children and young people with SEND. I have also asked Ofsted and CQC to consider how we can continue to monitor local areas' SEND arrangements beyond the current round of inspections which is due to conclude in 2021. We have found that area inspections have become a significant driver of improvement in the system, with local areas learning from and responding to the findings of each inspection; and local authorities and CCGs forming stronger working relationships.

Wigan's local area SEND inspection letter, for instance, reports on their innovative practices to improve the day-to-day lives of children and young people with autism. For example, taxi drivers complete autism training as part of their licencing agreement. Moreover, as part of refurbishment work at bus stations, the transport hub is being developed as an autism-friendly environment. The area has dramatically reduced the delays in the diagnostic pathway for autism so that children and young people are now assessed within three months of referral.

Ofsted also hold individual schools to account – the School Inspection Handbook sets an expectation that schools will identify special educational needs and support pupils to make progress. The Secretary of State confirmed back in July that he would ask Ofsted to make sure our accountability system sufficiently rewards schools for their work with pupils who need extra support, and to encourage schools to focus on all pupils, not just the highest achievers. We collect a wide range of data, not only on pupils' and students' needs and achievement in schools and further education, but also their destinations into further education, training and employment, enabling us to monitor progress of SEND reform implementation.

## **DfE to review funding to better implement the Children and Families Act 2014**

High needs funding, for children and young people with more complex special educational needs and disabilities, increased from £5 billion in 2013 to just under £6 billion this year and we have invested £391m for local areas to implement SEND reforms since 2014.

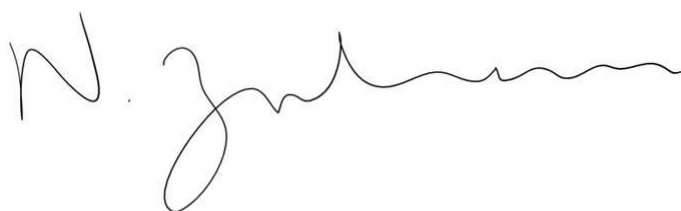
We understand that local authorities and schools are facing cost pressures, and are keeping the overall amount of funding for high needs under review. We are providing support to help them get the most out of their resources. For example, our high needs benchmarking tool provides local authorities with data so that they can compare their spending in various categories with that of similar authorities.

### **Exclusions**

We are committed to understanding why some children, including those with autism, are more likely to be excluded from school. Edward Timpson CBE is currently reviewing how schools use exclusions and what drives exclusion rates so that we can better understand why certain groups of children are more likely to face exclusions from school and why certain areas of the country have higher rates. Thank you for your comprehensive contribution to the call for evidence and roundtable discussions. I expect Edward to report back in the new year.

The Government is determined to do what it can to help put in place the right framework to ensure that children and young people with SEND get the support that they need. I look forward to working with you to help children and young people with autism access good quality support so that they will live fulfilled and productive lives.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'N. Zahawi', written in a cursive style.

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