



The Independent Helpline for Special Educational Needs

Support and Aspiration: A New Approach to Special Educational Needs and Disability

SOSSEN Response to the Green Paper

Chapter 1: Early Identification and Assessment

1. How can we strengthen the identification of SEN and impairments in the early years, and support for children with them?

Comment:

There is a need to strengthen the teams of educational professionals in the early years settings by the greater availability of education psychologists, speech and language and occupational therapists, physiotherapists and other health professionals who can contribute to an informed assessment at an early age. Currently SOSSEN members have experienced a decline in the numbers of such people.

Whereas some disabilities may be clear very early on, others, including a range of learning difficulties, social communication and other disorders, take extended time to evaluate and decide on appropriate educational provision. The Green Paper appears to concentrate on children and young persons with high level multiple disabilities. It is far from clear what statutory protection is going to be available for Dyslexia, High Functioning Autistic Spectrum Disorders, Downs Syndrome and low incidence disabilities such as Visual Impairment and Hearing Impairment.

There is also an urgent need to strengthen the part which should be played by Social Care services. Some local authorities, for example, do not recognise autism as a disability which should be responded to by their service. This is especially the case if the child with severe autism has average or above average ability. The current Social Services Framework Document was developed for dysfunctional families whose children and young people were abused. This is an issue which is not addressed by the Green Paper. Social Workers tend to know very little about disability. It is very frustrating for families of children with disabilities to find themselves talking to Social Workers who are responsible for the allocation of resources, who have little understanding of what is going on.

The laudable view that there should be high standard of child care in the early years settings is belied by the reality when Sure Start Centres are closing and resources reducing. In 'The Times' 7 February 2011 Frank Field revealed that a recent survey found that 250(7%) Sure Start Centres, serving 60,000 families, are certain or likely to close by the end of this year. In addition, a further 2,000(56%) Centres will provide a reduced service and 3,100 (86%) will have a decreased budget. It is difficult to see how consistent high quality can be maintained when ratios of adults to children, professional development, qualifications and pay of staff are so varied across provision. It is far from clear what training early years professionals have in special educational needs whereas the Green Paper implies that they will have a leading role. There is little content in a Qualified Teacher's training in SEN issues, and even less in training for nursery and support workers in separate nursery settings.

Our charity has substantial evidence that concerns raised by parents in the early years settings are often ignored or put down to over-anxiety. Failing to listen to parents at an early stage leads to a lessening of trust in the local authority and lead to a bad relationship in the future. Parents should be at the centre of identifying and establishing the extent of their child's needs.

2. Do you agree with our proposal to replace the statement of SEN and learning difficulty assessment for children and young people with a single statutory assessment process and an 'Education, Health and Care Plan', bringing together all services across education, health and social care?

Comments:

SOSSEN does not support this proposal. In our experience, the current system of statementing, if scrapped, will lead to more children' difficulties going undiagnosed.

This is a concern also of other professional organisations such as the NASUWT who a recent survey showed that teachers are concerned that there will be an under-identification of those with emotional or social problems and a 'bias' towards those with physical or medical difficulties. Alongside the NASUWT Survey was a report from researchers at Canterbury Christ Church University who showed that this bias is already showing in the system. Children in the school action and school action plus categories are more likely to have learning, behavioural and social difficulties, whereas children with physical or medical problems have statements.

The experience of SOSSEN has shown that many of the difficulties with the present system of statements could be overcome and some of the huge delays avoided if the current law was more rigorously enforced. The relevant legislation and Code of Practice is quite clear, for example, on how statements should be written so that provision in Part 3 is 'specific, detailed and quantified'. However, many of the cases where we support parents in an appeal to SEND Tribunal concern statements that are vague, woolly, legally unenforceable and of little use to teachers to plan provision and differentiate curriculum.

There is little evidence to show that Local Authorities have been held to account for their poor level of service in this respect. Paragraph 1.28 of concern when it says: "*Local Authorities, with their role as champions for vulnerable children and families...*" Many parents and families that we support or advise would disagree with this.

Statements, whatever their shortcomings, are legally enforceable and this is of the utmost importance to parents. It is not clear what will be enforceable under the proposed Education, Health and Care Plans (EHCP). It will be a retrograde step if they are not enforceable. Without these extended legal entitlements, the proposal in the Green Paper would make no difference to the existing system where non-educational provision is non-enforceable.

It is not clear whether, when an appeal against an EHCP goes to the SEND Tribunal, the Tribunal will be able to make legally binding Orders against Health and Social Services. SOSSEN would welcome this change and it would be an immensely helpful reform. However, there might also be an unhelpful consequence in that if an Order was binding then all three bodies might wish to be legally represented at Tribunal. SOSSEN represents parents when legal aid is not available and parents can't afford to employ a lawyer, as well as when they do have legal aid which, of course, does not cover the cost of representation. In the event of triple legal representation our task could become more complex, if faced with 3 sets of lawyers.

The whole system of statements, informed by specialised advice, accompanied by Individual Education Plans

(IEPs) and Annual Reviews is well understood by parents and has a quality of transparency. The recent, much needed, reform enabling parents to appeal to the SEND Tribunal following an Annual Review and the provision is not changed, is working well and should be retained. SOSSEN workers have all attended Annual Reviews where the Local Authority representative announces , 'well whatever you say, we won't change the statement'.

Similarly, Head teachers of community, all-age special schools, have found their local authorities unwilling to change a statement, written when a child entered the school at 3 years of age despite that child's needs changing drastically by the age of 11 or 16!

A weakness in the Green Paper is the absence of any monitoring proposal to ensure the EHCP is of a high quality and how parents will be able to appeal it when the needs change, for example, over time.

Another weakness is that no reference is made to how funding for the Plan will be retained when responsibility transfers to Adult Social Care services at 19.

3. How could the new single assessment process and 'Education, Health and Care Plan' better support children's needs, be a better process for families and represent a more cost-effective approach for services?

Comments:

The key to a single assessment being effective is that a key worker is responsible for driving the process forward This key worker would be trained to provide independent support and advice to families and would not be employed by Local Authorities and bound by their policies.

Given this proviso, there could be a sharing of assessments, avoiding duplication of reports and thus a reduction of costs. Currently, some services provided by health professionals are resource limited rather than driven by the child's needs.. For example, one Primary Health provider does not have occupational therapy for children over the age of 11. In another example a recent NHS report at Tribunal included the sentence '*the provision detailed in the report cannot be provided by this service and the local authority will have to pay for it separately.*' Nothing had been forthcoming!

The Green Paper is wrong in assuming that Parent Partnership Officers have been a resounding success. Although they can be very effective, the majority are not trusted by parents because they are employed by the Local Authority and usually report to the senior SEN Officer in the Authority. As such they are seen as partisan.

Ideally key workers should come from the voluntary and community sectors. They should be funded for this purpose.

4. What processes or assessments should be incorporated within the proposed single assessment process and 'Education, Health and Care Plan'?

Comments:

5. What is the potential impact of expanding the scope of the proposed single assessment process and plan beyond education, health, social care and employment?

Comments:

6a. What role should the voluntary and community sector play in the statutory assessment of children and young people with SEN or who are disabled?

Comments:

Ideally key workers should come from the voluntary and community sectors. They should be funded for this purpose.

The key to a single assessment being effective is that a key worker is responsible for driving the process forward. This key worker would be trained to provide independent support and advice to families and would not be employed by Local Authorities and bound by their policies.

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However, as with many of the proposals in the Green Paper, there is no proposal about enforceability. Statutory agencies can be judicially reviewed. If the voluntary and community sector fails, because they don't have the resources, there is nothing that the parents are going to be able to do about it> This disempowers parents.

6b. How could this help to give parents greater confidence in the statutory assessment process?

Comments:

Parents would find that the separation of advice from resources would lead to a clearer identification of need and match to provision.

7. How could the proposed single assessment process and 'Education, Health and Care Plan' improve continuity of social care support for disabled children?

Comments:

There is an urgent need to strengthen the part which should be played by Social Care services. Some local authorities, for example, do not recognise autism as a disability which should be responded to by their service. This is especially the case if the child with severe autism has average or above average ability. The current Social Services Framework Document was developed for dysfunctional families whose children and young people were abused. This is an issue which is not addressed by the Green Paper. Social Workers tend to know very little about disability. It is very frustrating for families of children with disabilities to find themselves talking to Social Workers who are responsible for the allocation of resources, who have little understanding of what is going on.

There is an urgent need for the training of Social Workers to include far more specialised training in the whole range of special educational needs. Social Workers are far too likely to see Child Protection issues in some areas of disruption of school attendance. For example, a Year 9 pupil suffering from severe tinnitus and falling over, dizziness, vomiting, fitting, both at school and in the street. She was withdrawn from lessons such as music and PE because she couldn't cope with the sensory stimulus and eventually she stopped going to school because it was physically too painful. The consequence of this was that the child was put on the Child Protection Register for "emotional abuse" and the mother threatened with prosecution. Not until this charity intervened did the Local Authority reluctantly agree to begin a Statutory Assessment. In our experience it is not uncommon for Children's services to take refuge in accusations of child abuse rather than undertake a thorough assessment.

8. How could the arrangements for provision of health advice for existing statutory SEN assessments be improved?

Comments:

Advice from Health professionals is usually welcomed but is often far too limited unless the professional is independent of the Primary Care Trust. The policy on contributing to statutory assessment and therapeutic interventions is far too often driven by resource implications. Consequently reports often have recommendations using a form of words such as *"The child will benefit from access to a speech and*

language/other therapist..." or "on-going input from the Speech and Language Service, as deemed appropriate by this service.." These sort of ambiguous phrases are ambiguous and legally unenforceable. Access could mean once a week, term or year.

9. How can we make the current SEN statutory assessment process faster and less burdensome for parents?

Comments:

The proposal to reduce the time a Statutory Assessment takes is welcome but the new suggestion of 20 weeks still far too long. It suggests a culture of low expectation of turnaround by local administration and bureaucracy, With the proposal to introduce compulsory mediation, the whole process is likely to lengthen not shorten where there is a dispute. A comparison with the criminal justice system is enlightening. The custody time limits require everything to be ready for the beginning of the summary trial in 56 days from first appearance in custody. If the police are able to gather evidence within this time frame, why cannot educational administrators? Are the rights of disabled children to adequate provision less urgent than those of offenders?

Another way in which the system is over-burdensome to parents arises when Local Authorities see it as an obstacle course which can delay the payment of, for example, an independent school placement or extra provision. The aim of the local authority would be to save on a year's fees. They do this by

- First: refusing to assess parent appeals to Tribunal, takes 6 months
- Second: undertakes Statutory Assessment, takes another 6 months, issues a Note in Lieu, parent appeals
- Third: refuses to issue a statement until ordered by the Tribunal, takes another 6 months.

This whole process takes 18 months, along time in a child's education when they are in the wrong provision and immensely stressful to parents.

Chapter 2: Giving Parents Control

10. What should be the key components of a locally published offer of available support for parents?

Comments:

11. What information should schools be required to provide to parents on SEN?

Comments:

Parents would find it helpful to receive communications from schools about SEN in plain English which is readily comprehensible. All scores, whether provided by schools, Educational Psychologists or NHS Trust professionals, should be provided with an age equivalent score, because parents can understand this.

Parents should also be provided with a guide to the measures of attainment so, for example, they could understand what P Scales mean and how other measures work. Sentences such as: *“The school also uses a B-squared assessment system to monitor progress in conjunction with the National Curriculum level descriptors”* mean little to the majority of parents. Where tests are used there should be an explanation of what is in the test.

12. What do you think an optional personal budget for families should cover?

Comments:

The option of a personal budget is interesting, however not all families will be able to manage them. It would be of great help, for example, in overcoming difficulties with getting extra equipment for children with multiple disabilities and who need wheelchairs and other seating and standing equipment at home as well as school. Currently the NHS often refuses to provide these and parents have to go to Tribunal to get them included in a statement.

13. In what ways do you think the option of a personal budget for services identified in the proposed 'Education, Health and Care Plan' will support parents to get a package of support for their child that meets their needs?

Comments:

14. Do you feel that the statutory guidance on inclusion and school choice, *Inclusive Schooling*, allows appropriately for parental preferences for either a mainstream or special school?

Comments:

15. How can we improve information about school choice for parents of children with a statement of SEN, or new 'Education, Health and Care Plan'?

Comments:

16. Should mediation always be attempted before parents register an appeal to the First-tier Tribunal (SEN and Disability)?

Comments:

The experience of this charity is of very few positive outcomes from mediation as Local Authorities very rarely change anything even if they agree to it in the first place.

Typical are these letters from a Case Worker who would have arranged the mediation to a parent

- *“ I can confirm that S... C.C. do not feel that mediation is appropriate in your case, as they will not change your daughter’s placement other than through Tribunal.”*
- *“Whilst we are always happy to take part in mediation we have made it absolutely clear that we are not going to agree to the parent’s request for a placement at an independent special school...this isn’t a refusal to mediate – I’m just not sure what specific issue she wishes to mediate about as we are not going to change Part 4.”*

The Green Paper proposes compulsory mediation whilst at the same time acknowledging that mediation to date hasn’t worked well. They do not say why it hasn’t worked to date and isn’t likely to work in the future. Compulsory mediation will fail and add to an extension of the overall timescales and parental frustration.

Local Authorities frequently do not want to mediate. If they do agree to a parent request they usually send an officer to the meeting who has no decision making powers and has to be referred onwards to the Panel. Mediators knowledge of legal basics such as how legislation, case law and policy work is often lacking. For example, the fact that a local Policy cannot override Case Law is not understood.

The only way that mediation could work is if there were legally qualified mediators with a set of procedures including compulsion. This would be expensive and imitate the work of the First Tier Tribunal.

17a. Do you like the idea of mediation across education, health and social care?

No

17b. How might it work best?

Comments:

It would work best if the mediators were legally qualified, had a clear set of procedures and could enforce their decisions. As Local Authorities always have legal advice and representation to call upon, it would only be right if parents had access also to independent legal advice.

Chapter 3: Learning and Achieving

18. How can we ensure that the expertise of special schools, and mainstream schools with excellent SEN practice, is harnessed and spread through Teaching Schools partnerships?

Comments:

The Green Paper fails to acknowledge the harmful consequences of previous governments' policy on inclusion. Inclusion has led to the closure of many special schools. The effect of this is that many special schools are not now as specialised as they were. They have an enormous range of special needs which has led to a depletion of specialist skills. The independent sector retains specialisation in different learning difficulties and far more use should be made by the maintained sector of them.

19. How can we ensure that we improve SEN expertise, build capacity and share knowledge between independent specialist colleges, special schools and colleges?

Comments:

20. How can we continue to build capacity and SEN specialist skills at each tier of school management?

Comments:

21. What is the best way to identify and develop the potential of teachers and staff to best support disabled children or children with a wide range of SEN?

Comments:

22. What is the potential impact of replacing School Action and School Action Plus and their equivalents in the early years with a single category of SEN in early years settings and schools?

Comments:

SOSSEN is concerned by radical proposals to fundamentally change the present system, not only by reducing SA and SA+ stages but also by the proposals in Para. 5.22 concerning IEPs & Annual Reviews. The proposals to abolish IEPs will do the opposite of the declared aim of the Green Paper, in the Executive Summary: *“to give parents confidence by giving them more control Over the support their family receives, we will introduce more transparency into the provision of services.”* We are concerned that there will be less transparency.

Since the publication of the Code of Practice in 1994 parents have become used to the system of termly IEPs, going to school to discuss the targets and evaluate progress made towards them. This system provides parents with clarity over progress or lack of it or whether the provision is working. Parents know from the Code of Practice (COP) what is expected of the school . The Green Paper makes no mention of Annual Reviews for children with Statements. The proposals will remove from parents of children with special educational needs a prescribed opportunity for finding out what is going on and leave them more in the dark.

The Green Paper lauds new approaches to planning, reviewing and tracking progress, including ‘provision mapping’. These new approaches are often very effective in terms of improving the overview of senior management in school over standards and achievement and the distribution of resources. They have enabled the development of better assessment systems for monitoring academic progress, usually against national targets. However, what is helpful for schools to manage themselves more effectively is not necessarily going to be effective in communicating with parents or in assessing progress towards social or self-help targets or improving self-esteem or other non-academic targets. As it says in the COP: *“The IEP should only record that which is different from the differentiated curriculum provision, which is in place for all pupils.”* (6.59)

Schools do not routinely share provision mapping in detail with parents in a meaningful way. There is no guarantee of a termly meeting nor is it in any way enforceable.

23. How could changing the school and early years setting-based category of SEN embed a different approach to identifying SEN and addressing children's needs?

Comments:

24. How helpful is the current category of Behavioural, Emotional and Social Development (BESD) in identifying the underlying needs of children with emotional and social difficulties?

Comments:

It is important to retain these categories as a way of identifying areas of life for pupils who are experiencing significant obstacles to learning because of them. Many schools have difficulty with them precisely because

they do not have the training to assess what the underlying difficulties are. In a large secondary school, it is reasonable to expect at least the SENCO to have additional qualifications in some aspect of special educational needs. In a primary school it is highly unlikely that there will be such a specialist. Where there is no training, there is still a tendency to regard children with behavioural difficulties as 'a naughty child' and deal with them accordingly. Hence we have appalling national statistics of a majority of excluded children having special educational needs.

Schools need support from specialist advice services, as a matter of right. Previous Ofsted surveys have shown how effective such services can be. For example, in Birmingham, the Visiting Teacher scheme helped primary schools cater effectively for children with autism and/or ADHD. The Visiting Teacher (VT) modelled how to teach the, how to anticipate their needs and how to plan for them. They also enabled other children to understand how best to help them. The time the VT spent could be extended to allow for sufficient observation and training.

Schools that have a large proportion of children identified in this way can also commission specialist training such as from 'Team Teach' or SCIP. Both these are whole school approaches to managing pupil behaviour in a proactive way.

25. Is the BESD label overused in terms of describing behaviour problems rather than leading to an assessment of underlying difficulties?

Comments:

No it is not overused. Mainstream primary and secondary schools often lack the training and resources to identify underlying difficulties. SOSSEN often gets asked to help when school attendance has broken down because special needs have not been correctly identified.

26. How could we best ensure that the expertise of special schools in providing behaviour support is harnessed and shared?

Comments:

The most helpful way is to resource Community special schools to allow senior staff to be on call to help Primary and secondary schools. SOSSEN is aware of boroughs where the Head teachers of special school go to observe and advise staff on provision for individual pupil behaviour. However, not all special schools are resourced for this or capable of developing a commercial 'arm'.

27. What are the barriers to special schools and special academies entering the market for alternative provision?

Comments:

28. What are the ways in which special academies can work in partnership with other mainstream and special schools and academies, and other services, in order to improve the quality of provision for pupils with SEN and disabilities?

Comments:

Many parents are confused, in our experience by the concept of academies. The original academies had a reputation for excluding 'difficult' pupils. It is not clear how welcoming any school will be to pupils with learning difficulties given the current additional emphasis on league tables.

Another difficulty is the legal status of Academies. They are charitable Trusts, not public bodies. And do not have to respond to Freedom of Information requests from parents. Even though the DfE directs them to publish certain information, this is not the same as being able to get answers to specific questions of significance for their child. Academies should be required to answer Freedom of Information request in the same way as maintained schools.

29. What are the barriers to special academies becoming centres of excellence and specialist expertise that serve a wider, regional community and how can these be overcome?

Comments:

30. What might the impact be of opening up the system to provide places for non-statemented children with SEN in special free schools?

Comments:

31. Do you agree with our proposed approach for demonstrating the progress of low attaining pupils in performance tables?

Comments:

32. What information would help parents, governors and others, including Ofsted, assess how effectively schools support disabled children and children with SEN?

Comments:

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Chapter 4: Preparing for Adulthood

33. What more can education and training providers do to ensure that disabled young people and young people with SEN are able to participate in education or training post-16?

Comments:

The systems that used to work well in preparing these young people for work, further training and employment were:

A specialist Connexions adviser visiting special schools and identifying opportunities and accessing resources. It is frequently very difficult for schools or parents to know themselves how to go about this. It is unfortunate that this service is to be done away with.

Many of these special advisers have built up a huge reservoir of experience and understanding of what is available

34. When disabled young people and young people with SEN choose to move directly from school or college into the world of work, how can we make sure this is well planned and who is best placed to support them?

Comments:

35a. Do you agree that supported internships would provide young people for whom an apprenticeship may not be a realistic aim with meaningful work opportunities?

35b. How might they work best?

Comments:

36. How can employers be encouraged to offer constructive work experience and job opportunities to disabled young people and young people with SEN?

Comments:

37. How do you think joint working across children's and adult health services for young people aged 16 to 25 could be improved?

Comments:

38. As the family doctor, how could the GP play a greater role in managing a smooth transition for a disabled young person from children's to adult health services?

Comments:

39a. Do you agree that our work supporting disabled young people and young people with SEN to prepare for adulthood should focus on the following areas: *(please tick those with which you agree)*

Comments:

39b. What else should we consider?

Comments:

Chapter 5: Services Working Together for Families

40a. Do you agree with the following three core features of the role of local authorities in supporting children and young people with SEN or who are disabled and their families? *(please tick those with which you agree)*

<input type="checkbox"/>	strategic planning for services	<input type="checkbox"/>	securing a range of high quality provision	<input type="checkbox"/>	enabling families to make informed choices and exercise greater control over services
<input type="checkbox"/>	none	<input type="checkbox"/>	not sure		

Comments:

40b. Are there others? If so, please specify.

<input type="checkbox"/>	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	Not Sure
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Comments:

41. How can central government enable and support local authorities to carry out their role effectively?

Comments:

42. What would be the best way to provide advice to GP consortia to support their commissioning of services for children and young people with SEN or who are disabled and their families?

Comments:

43. What would be the most appropriate indicators to include in the NHS and public health outcomes frameworks in the future to allow us to measure outcomes for children and young people with SEN or who are disabled?

Comments:

44. What are the ways in which the bureaucratic burdens on frontline professionals, schools and services can be reduced?

Comments:

45. In addition to community nursing, what are the other areas where greater collaboration between frontline professionals could have the greatest positive impact on children and young people with SEN or who are disabled and their families?

Comments:

46. What more do you think could be done to encourage and facilitate local services working together to improve support for children with SEN or who are disabled?

Comments:

47. How do you think SEN support services might be funded so that schools, academies, free schools and other education providers have access to high quality SEN support services?

Comments:

48. What are the innovative ways in which new models of employee-led organisations, such as mutuals and cooperatives, could improve services for children and young people with SEN and their families?

Comments:

49. In addition to their role in the assessment process, what are the innovative ways in which educational psychologists are deployed locally to support children and young people with SEN or who are disabled and their families?

Comments:

Educational Psychologists (EPs) play a very important role in helping schools improve provision and teaching for children with special educational needs. For children with statements, advice following assessment is often needed by the school. For children without statements, their advice is often more important as it can be the sole additional expert advice that schools receive in meeting special educational needs at School Action Plus. Many local Educational Psychology Services work on a consultative mode, i.e. hours are allocated to schools for their service and the school pays a yearly fee to the local authority. Some schools use the consultation time for the EP to do 1:1 counselling with individual pupils where this has been agreed as appropriate. In other schools the EP chairs regular reviews in school of progress of pupils with a range of social problems affecting their progress and development. The EP also liaises with outside services when it is most helpful to do so.

Their expertise is invaluable, especially in Primary schools who are less likely to have teachers with additional training or qualifications in meeting special educational needs. Special schools also often benefit from access to EPs who are able to do extended observations at home and in school in the case of pupils whose needs are difficult to identify in some extreme cases.

It is difficult to see how their services will be purchased in the future if they are no longer employed by councils and schools have to find their own. It is particular difficult for smaller primary schools who often do not have expertise on the staff or regular access to in-service training .

50. How do you envisage the role and service structures of educational psychologists evolving to meet local demands?

Comments:

51. What are the implications of changes to the role and deployment of educational psychologists for how their training is designed and managed?

Comments:

52. What do you think can be done to facilitate and encourage greater collaboration between local authorities?

Comments:

Many former and current teachers remember the Inner London Education Authority which ensured liaison between the Inner London Boroughs and also enabled Outer London Boroughs to harness its strengths. The ILEA was large enough to

ensure that, for example, low incidence needs could be planned for and met across all the boroughs, they employed a range of specialist teachers and advisers to cover a wide range of disabilities and advice was always available to schools. There need to be incentives for local authorities to collaborate.

53. What do you think are the areas where collaboration could have the greatest positive impact on services for children, young people and families?

Comments:

54. How do you think that more effective pooling and alignment of funding for health, social care and education services can be encouraged?

Comments:

55. What are the ways in which a Community Budget approach might help to improve the ways in which services for children and young people with SEN or who are disabled and their families are delivered?

Comments:

56. What are the ways in which we could introduce greater local freedom and flexibility into the ways in which funding for services for children and young people with SEN or who are disabled is used?

Comments:

57. What are the areas where the voluntary and community sector could have the greatest positive impact on services for children and young people with SEN or who are disabled and their families, and what are the ways we can facilitate this?

Comments:

58. How do you think a national banded funding framework for children and young people with SEN or who are disabled could improve the transparency of funding decisions to parents while continuing to allow for local flexibility?

Comments:

Banded funding is a concern. Some Local Authorities refer to banded funding in their Statements, rather than concrete and specific provision, which the law currently requires. Banding was introduced in the early 1990s as a way of increasing the delegation of financial resources to schools as required by the 1988 Education Reform Act. It related to funding for children without a statement but with special needs. In order to ensure that all schools moderated pupils' needs in the same way, a formula was suggested. But it was a funding formula, not a way of assessing pupils' needs. Focus was on the formula not the child. It is inappropriately used now to match a child with a level of funding and is often used by teachers in mainstream schools, or clerks in Local Authorities with very little training in the learning needs of children with special educational needs.

Bandings are now often set at an unrealistic level and are not fully revised for inflation. This can mean that year on year provision can diminish. In any event, it would be unfair to have a national banding system for SEN when there is no agreed level of AWPU provision as a starting point.

59. How can the different funding arrangements for specialist provision for young people pre-16 and post-16 be aligned more effectively to provide a more consistent approach to support for children and young people with SEN or who are disabled from birth to 25

Comments:

Funding pre and post 16 should be in the hands of the same provider, whoever that is. Schools, networks of schools as well as local authorities need to be able to plan coherently for all the teaching groups and subjects, across the whole education range, not wait each year to see if the 6th form is going to be denied funds or have to be subsidised by the budget for the 11-16 year olds.

60. Please use this space for any other comments you would like to make

Comments:

61. Please let us have your views on responding to this consultation (e.g. the number and type of questions, was it easy to find, understand, complete etc.)

Comments:

Far too many questions, endlessly repetitive.