



## The green paper on special educational needs and disability

Standard Note: SN/SP/5917  
Last updated: 22 August 2011  
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Section: Social Policy Section

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This Standard Note briefly outlines of the current special educational needs (SEN) system in England, and highlights the main proposals in the Government's green paper on special educational needs and disability. A selection of initial reaction to the green paper is provided. The note also includes information on the pathfinder programme to test key elements of the green paper's proposals.

The green paper, [Support and aspiration: a new approach to special educational needs and disability](#), proposes:

- a new approach to identifying SEN through a single early years setting-based category and school-based category of SEN;
- a new single assessment process and Education, Health and Care Plan by 2014;
- local authorities and other services to set out a local offer of all services available;
- the option of a personal budget by 2014 for all families with children with a statement of SEN or a new Education, Health and Care Plan;
- strengthening parental choice of school, for either a mainstream or special school; and
- changing the assessment process to make it more independent.

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### 1 Background: quick overview of the current SEN system

The following provides a quick overview of the current SEN system. [Library Standard Note SN/SP/5781](#) provides a more detailed account.

A child has special educational needs (SEN) if s/he has a learning difficulty which needs special educational provision to be made.<sup>1</sup> The legal responsibilities of LAs and schools towards children with SEN are contained in the *Education Act 1996*, as amended. Guidance on the duties of LAs and schools is set out in the statutory [Code of Practice on the Assessment and Identification of Special Educational Needs](#).<sup>2</sup>

The Code of Practice sets out a graduated approach to SEN that recognises a continuum of SEN which may require increasing action by the school. This is referred to as School Action, and, for some children, where greater involvement of external specialists is needed, School Action Plus.

The SEN needs of the great majority of children will be met within mainstream settings through School Action or School Action Plus, without the LEA needing to make a statutory assessment. In some cases, however, the LEA will need to make a statutory assessment of SEN and consider whether or not to issue a statement of SEN.

A statement describes the child's needs and the special provision needed. The *Code of Practice* sets out the detailed procedures relating to the assessment and statements of SEN.

Parents can say which school in the maintained sector they prefer their child to attend. Local authorities must meet the parents' preference unless:

- the school is unsuitable for the child's age, ability, aptitude or SEN;
- the placement would affect the efficient education of other children;
- the placement would affect the efficient use of resources.

Before naming a school in a statement, the local authority must consult the governing body of that school. A governing body must admit a pupil whose statement names their school.

Parents can make representations for a placement outside the maintained sector. However, if there is a suitable state school, the local authority has no legal duty to spend public money on a place at a non-maintained or independent school.

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<sup>1</sup> *Education Act 1996*, section 312

<sup>2</sup> DfES 2001: <http://www.teachernet.gov.uk/docbank/index.cfm?id=3724>

The [First-tier Tribunal \(Special Educational Needs and Disability\)](#) is an independent body that hears appeals against decisions made by local authorities on SEN assessments and statements. It has issued a guide for parents on [How to Appeal an SEN Decision](#). This explains when parents can appeal to the Tribunal, and how to go about making an appeal.

The *Children, Schools and Families Act 2010* introduced provision for an additional right of appeal for parents where, following a review of a statement of SEN, the local authority decides not to make any changes. Library [Research Paper 09/95](#) and Library [Standard Note SN/SP/3375](#) provided background on the labour government's policies on SEN.

The Local Government Ombudsman (LGO) may deal with certain complaints about local authority provision for children with SEN statements. Essentially the LGO is concerned with complaints about the SEN process - for example, where the LA has failed to follow the timescale for issuing a proposed statement of SEN or where the LA has failed to ensure that certain provision, as required in a child's statement, is provided. Further details about its remit are given in an [LGO factsheet](#).

In recent years, there has been growing concern about the operation of the SEN system. In July 2006, the Select Committee on Children, Schools and Families reported on special educational needs, and highlighted strong concerns about parents' confidence in the SEN system. Library [Standard Note SN/SP/3375](#) provided background on the Committee's report and the Labour government's response to it.

Part of the Labour government's response to the issues raised by the Select Committee was to ask Brian Lamb, the chair of the Special Educational Consortium, to carry out an inquiry into how parental confidence in the SEN assessment process might be improved. A series of reports was published. These were made available on the former DCSF website at: <http://www.dcsf.gov.uk/lambinquiry/>

In addition, a number of reports looked at specific aspects of SEN provision (see [Library Standard Note SN/SP/5781](#)) and an Ofsted review of SEN, *Special educational needs and disability review – a statement is not enough*, which was commissioned by the Labour government, was published on 14 September 2010.

The Ofsted review evaluated how well the legislative framework had served children with SEN, and reported on a range of concerns about the current system. The review found that just over one in five pupils – 1.7 million school-age children in England – were identified as having special educational needs. Since 2003, the proportion of pupils with a statement of special educational needs had slightly decreased from 3% to 2.7%, while the proportion identified as needing less intensive additional support at School Action or School Action Plus had increased from 14.0% in 2003 to 18.2% in 2010. Amongst other things, the review said that as many as half of all pupils identified for School Action would not have been identified as having special educational needs if schools had focused on improving teaching and learning for all, with individual goals for improvement.

The review emphasised that providing an SEN statement itself did not mean that a child's current needs were being met. The key implication of the review's findings was that any further changes to the system should focus not on tightening the processes of prescribing entitlement to services but, rather, on:

- improving the quality of assessment
- ensuring that where additional support is provided, it is effective

- improving teaching and pastoral support early on so that additional provision is not needed later
- developing specialist provision and services strategically so that they are available to maintained and independent schools, academies and colleges
- simplifying legislation so that the system is clearer for parents, schools and other education and training providers
- ensuring that schools do not identify pupils as having special educational needs when they simply need better teaching
- ensuring that accountability for those providing services focuses on the outcomes for the children and young people concerned.

The review noted that the legislation, guidance and systems surrounding special educational needs had become very complex over the last 30 years with the result that the system had become difficult for everyone, especially for parents and young people, to understand and navigate. Part of the problem was the incremental nature of the changes, and the review said that any further changes to legislation or guidance should not add incrementally to the current arrangements. Instead, it said, changes should simplify arrangements and improve consistency across different services, and for children of different ages and levels of need. The review observed that the language of special educational needs had become highly contentious and confusing for both parents and professionals, and that the term 'special educational needs' was used too widely. [Library Standard Note SN/SP/5781](#) gives further background on the Ofsted review.

## 2 Proposals for reform

On 7 July 2010, speaking at an Every Disabled Child Matters event, Sarah Teather, the Children's Minister, said that the Government would publish a green paper on SEN.<sup>3</sup> On 10 September 2010 the Minister invited views from everyone with an interest in SEN and disability: [DFE paper calling for evidence](#). This noted the priorities for the green paper:

4.1 The Green Paper will consider how we can achieve:

- better educational outcomes and life chances for children and young people with special educational needs and disabilities - from the early years through to the transition into adult life and employment;
- better early intervention to prevent problems later;
- greater choice for parents in the schools their children attend and the support and services they receive, whether in a mainstream or special school setting;
- public services centred on the needs of the family and child in the round, joining up support from education, social care and health, particularly for those with the most severe and complex needs and at key transitions; and
- streamlining assessment systems so that parents don't feel they have to struggle with the system to get the support they need.

The DFE published an [analysis of responses to the call for evidence](#) to inform the green paper on SEN and disability.

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<sup>3</sup> <http://www.education.gov.uk/news/news/sen-next-steps>

On 24 November 2010, the Government issued the schools white paper, *The Importance of Teaching*.<sup>4</sup> This contains far-ranging proposals for school reform including teacher training. Many of the proposals in the white paper are relevant to SEN – some of these are highlighted in [Library Standard Note SN/SP/5781](#).

## 2.1 The green paper's proposals

The green paper, *Support and aspiration: a new approach to special educational needs and disability*, was published on 9 March 2011. It contains wide-ranging proposals to respond to the criticisms of the present system. The consultation ran from 9 March to 30 June 2011. The Government has said that it will be publish its plans later in the year when it has considered the responses received.<sup>5</sup>

The [DFE press notice on the green paper](#) summarised the current problems and how the proposals would address these problems:

- parents having to battle to get the support their child needs
- SEN statements not joining up education, health and care support
- children falling between the gaps in services or having to undergo multiple assessments.
- multiple layers of paperwork and bureaucracy adding delays to getting support, therapy and vital equipment
- a confusing and adversarial assessment process, with parents' confidence in the system undermined by the perceived conflict of interest where the local authority must provide SEN support as well as assess children's needs
- Ofsted and others suggest that too many children are being over-identified as SEN, which prevents them from achieving their potential because teachers have lower expectations of them.

The Government proposes to:

- include parents in the assessment process and introduce a legal right, by 2014, to give them control of funding for the support their child needs
- replace statements with a single assessment process and a combined education, health and care plan so that health and social services is included in the package of support, along with education
- ensure assessment and plans run from birth to 25 years old
- replace the existing complicated School Action and School Action Plus system with a simpler new school-based category to help teachers focus on raising attainment
- overhaul teacher training and professional development to better help pupils with special educational needs and to raise their attainment
- inject greater independence from local authorities in assessments by looking at how voluntary groups might coordinate the package of support

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<sup>4</sup> *The Importance of Teaching*, DFE, Cm 7980, November 2010

<sup>5</sup> HC Deb 20 July 2011 c1048W

- give parents a greater choice of school and give parents and community groups the power to set up special free schools.

Currently children who have severe, profound or multiple health and learning needs or disabilities receive a statement of support from their local authority. However, it often isn't clear – to parents, and to local services – who is responsible for delivering on the statement. For example, services such as speech and language therapy may appear in the statement but are funded and commissioned by local health services.

So the Government will tackle this problem – which has never been addressed before – by introducing one single assessment process and education, health and care plan to give children all the help they need. It will mean education, health and social services must work together to give families one single package of support, tailored to their individual needs.

In a Written Ministerial Statement on the 9 March 2011, the Education Secretary outlined the case for change, set out the proposed reforms and noted the next steps:

**The Secretary of State for Education (Michael Gove):** Today the Government publish "Support and aspiration: a new approach to special educational needs and disability".

This Green Paper is about the children and young people in this country who are disabled, or identified as having a special educational need. It is about their aspirations and their hopes. Their desire to become, like every child and young person, independent and successful in their chosen future, and, to the greatest extent possible, the author of their own life story.

It is about their families—who have consistently called for better support for their children and themselves. It is about families of the most disabled children who are providing 24-hour care from birth, or the families of children struggling at school who do not know where to turn for help.

It is also about their teachers, their college lecturers, and the many skilled staff from the health and social care professions who do their best, day in and day out, to provide the right support and encourage the highest aspirations.

#### *Case for change*

Life chances for the approximately 2 million children and young people in England who are identified as having a special educational need (SEN), or who are disabled, are disproportionately poor. By the time they leave school these young people are more than twice as likely to be out of education, training or employment as those without a special educational need.

We know that there is much that is excellent in the support for these children, young people and their families. But we also know that this is not happening nearly enough. While the circumstances of children, young people and their parents differ greatly; from young people requiring a few adjustments in class to children with life-limiting long-term conditions, hundreds of thousands of families with have a disabled child or a child with SEN have many shared concerns. Parents say that the system is bewildering and adversarial and that it does not sufficiently reflect the needs of their child and their family life.

Successive reports, such as the 2006 report of the Education Select Committee and Brian Lamb's report in 2009, have described a system where parents feel they have to

battle for the support they need, where they are passed from pillar to post, and where bureaucracy and frustration face them at every step.

Disabled children and children with SEN tell us that they can feel frustrated by a lack of the right help at school or from other services. For children with the most complex support needs, this can significantly affect their quality of life.

Children's support needs can be identified late; families are made to put up with a culture of low expectations about what their child can achieve at school; parents do not have good information about what they can expect and have limited choices about the best schools and care for their child; and families are forced to negotiate each bit of their support separately. According to the Council for Disabled Children, on average a disabled child experiences 32 assessments as they grow up. Resources that could be spent on support and teaching are diverted into bureaucracy.

#### *Proposed reforms*

Our proposed reforms respond to the frustrations of children and young people, their families and the professionals who work with them. The vision set out in the Green Paper is informed by the views and expertise of families and national and local organisations working with them.

We want to put in place a radically different system to support better life outcomes for young people; give parents confidence by giving them more control; and transfer power to professionals on the front line and to local communities.

To support better life outcomes for young people from birth to adulthood we will help professionals: identify and meet children's needs early by ensuring that health services and early education and childcare are accessible to all children; work in partnership with parents to give each child support to fulfil their potential; and join up education, health and social care to provide families with a package of support that reflects all of their needs. We propose:

a new approach to identifying SEN in early years settings and schools to challenge a culture of low expectations for children with SEN and give them effective support to succeed. A new single early years setting-based category and school-based category of SEN will build on our fundamental reforms to education which place sharper accountability on schools to make sure that every child fulfils his or her potential; and

a new single assessment process and "Education, Health and Care Plan" by 2014 to replace the statutory SEN assessment and statement, bringing together the support on which children and their families rely across education, health and social care. Services will work together with the family to agree a straightforward plan that reflects the family's ambitions for their child from the early years to adulthood, which is reviewed regularly to reflect their changing needs, and is clear about who is responsible for provision. The new "Education, Health and Care Plan" will provide the same statutory protection to parents as the statement of SEN and will include a commitment from all parties to provide their services, with local assessment and plan pathfinders testing the best way to achieve this.

To give parents confidence by giving them more control over the support their family receives, we will introduce more transparency in the provision of services for children and young people who are disabled or who have SEN. Parents will have real choice over their child's education and the opportunity for direct control over support for their family. We propose:

local authorities and other services will set out a local offer of all services available to support children who are disabled or who have SEN and their families. This easy-to-understand information for parents will set out what is normally available in schools to help children with lower-level SEN, as well as the options available to support families who need additional help to care for their child; and

the option of a personal budget by 2014 for all families with children with a statement of SEN or a new "Education, Health and Care Plan", many of whom will have complex support needs. Key workers will be trained to advise families and help them navigate the range of help available across health, education and social care.

To transfer power to professionals on the front line and to local communities we will: strip away unnecessary bureaucracy so that professionals can innovate and use their judgment; establish a clearer system so that professionals from different services and the voluntary and community sector can work together; and give parents and communities much more influence over local services. We propose to:

give parents a real choice of school, either a mainstream or special school. We propose to strengthen parental choice by improving the range and diversity of schools from which parents can choose, making sure they are aware of the options available to them and by changing statutory guidance for local authorities. Parents of children with statements of SEN will be able to express a preference for any state-funded school-including special schools. Academies and free schools-and have their preference met unless it would not meet the needs of the child, be incompatible with the efficient education of other children, or be an inefficient use of resources. We will also prevent the unnecessary closure of special schools by giving parents and community groups the power to take them over; and

introduce greater independence to the assessment of children's needs, testing how the voluntary and community sector could co-ordinate assessment and input from across education, health and social care as part of our proposals to move to a single assessment process and "Education, Health and Care Plan".

#### *Next steps*

The Green Paper marks an important milestone in the development of the Government's approach to supporting children and young people with SEN or who are disabled and their families. This marks the start of a four-month consultation period on our proposals.

Central Government cannot achieve this ambitious programme of reform through directing and managing change itself. The proposals we set out are for practical testing in local areas. From September 2011, local pathfinders will help demonstrate the best way to achieve our key reforms. We will also be working across Government and with our local and national partners to set out detailed plans by the end of the year.<sup>6</sup>

Sarah Teather, the Minister for Children and Families wrote to head teachers, school governors and local authorities explaining the proposed changes.<sup>7</sup>

## **2.2 A selection of initial reaction to the green paper**

Initial reactions to the green paper were mixed. There was general support for a creating a single system of assessment of needs, and the emphasis on training of staff was welcomed. However, some commentators raised concerns about funding and the delivery of support for

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<sup>6</sup> [HC Deb 9 March 2011 cc63-5WS](#)

<sup>7</sup> Links to the letters are available on the [DFE website on the green paper](#).



pupils in a diverse school system. Some commentators were also concerned that any attempt to redefine what constitutes SEN could lead to less support for pupils. The following gives a selection of initial reaction to the green paper; however, it is not, and is not intended to be, a comprehensive account.

Lorraine Petersen, Chief Executive of the National Association for Special Educational Needs (NASEN), welcomed the green paper:

NASEN welcomes the green paper. There has long been a need for a more coherent joined-up approach to the assessment of children and young people identified as having SEN. The proposals for an Education, Health and Care Plan to replace the statement will ensure that all those providing services are involved from birth to 25 and commit to providing services in the plan.

We are also pleased to see a clear emphasis on training and development for staff in schools – building on the schools white paper. We need our teachers to be well trained and confident to identify needs and barriers to learning and provide the right support early on.

NASEN is delighted the green paper recognises the important role of the SEN coordinator and is pleased that support for training new SENCOs is continuing.<sup>8</sup>

Srabani Sen, Chief Executive of Contact a Family, said:

We welcome the Government's aspirations to improve the lives of families with disabled children as set out in Support and Aspiration: A new approach to special educational needs and disability.

Many of the principles outlined in the consultation paper are to be commended. We need to examine the proposals in more detail to assess the degree to which they will meet the real needs of disabled children and their families. However the consultation provides a very useful starting point for debate.

Baroness Shireen Ritchie, Chairman of the Local Government Association (LGA) Children and Young People Board, supported the aim of creating a single system but stressed the importance of sufficient funding:

"The aim of creating a single system for people up to the age of 25 with special educational needs is one which the LGA supports. However, more work needs to be done on how to make this ambition a reality.

"Talk of realigning systems simply does not go far enough. What the system needs is a radical transformation built on a firm legislative base.

"Councils are responsible for providing these services to people right through to the age of 25. We need a system that joins up the SEN provision in schools with that in further education colleges.

"We must be clear that if council support for SEN is to continue at its current level, which is something that all local authorities want to see, it must be sufficiently funded. In the recent local government financial settlement, councils saw funding for early intervention cut by 25%. Councils have been leading the way on giving parents greater control over their children's education through personalised budgets, but the

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<sup>8</sup> [DFE press notice](#), 9 march 2011

Government needs to make sure that the funding from health, education and social care is available to meet these costs.

“Many councils have already made great strides in improving the SEN support they provide and it is encouraging that the Green Paper recognises the key role councils do, and will continue, to play in the coming years.”<sup>9</sup>

Brian Lightman, General Secretary of the Association of School and College Leaders (ASCL) welcomed the proposals to streamline the SEN statementing process but said that there were still many unanswered questions about the future of local strategic planning for SEN provision:

ASCL strongly agrees that there is a clear case for change to the SEN system in order to support teachers and school leaders to give every child the support they need. We therefore welcome the proposals in the green paper to simplify the statementing process. The current system is much too bureaucratic, creates unhelpful tensions between schools and parents and often doesn't address children's needs. A single SEN category has the potential to streamline the process and allow more time for identifying and accessing support. The provision of mediation will help parents, schools and health and social care professionals to work together.”

“However there are still many unanswered questions about the future of local strategic planning for SEN provision. SEN provision is very expensive and highly specialised and the proposed reforms will need significant investment. Schools cannot work in isolation and a principle of free choice for parents would be extremely costly. SEN is one area in which local authorities have an essential role to play in planning and locating provision and coordinating admissions. It is unclear how special schools becoming academies will contribute to the development of coherent provision.”

“The problems covered in the paper are complex ones which would have been resolved long ago if there were simple answers. Schools are part of the solution, not the problem, and school leaders share the frustrations of working within a system which hinders rather than supports their efforts to access support for students. It would be naive to assume that the solution is to increase school accountability or exhort them to raise expectations with regard to achieving qualifications.”<sup>10</sup>

The teachers' union, Voice, also welcomed the green paper's increased support for pupils and the proposed reduction in bureaucratic processes. However, it was doubtful about whether a single, multi-agency assessment could be achieved in the short or medium-term. Voice General Secretary Philip Parkin said:

“We would welcome increased support for pupils, more training for teachers and support staff and a reduction in the overburdensome, time-wasting, bureaucratic processes associated with assessment of pupils' needs.

“Measures which speed up and make more accurate diagnoses of children's needs, and provide more information and support for parents and families, would be widely supported.

“There should be specialist training for staff on how to support diverse learners. For example, SENCOs (special educational needs co-ordinators) could be trained to have a more specialised role.

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<sup>9</sup> [LGA response to special educational needs Green Paper, LGA media release, 9 March 2011](#)

<sup>10</sup> [“Adversarial’ statementing process needs streamlining”, ASCL press release, 9 March 2011](#)

“A single, multi-agency assessment on the same day, rather than separate assessments on separate days, would be ideal but I fear this is unlikely to happen in the short or medium-term without major changes to the way different agencies involved operate and and co-ordinate their services.

“We are concerned about the whether local authorities will have the resources and ability to carry out their functions effectively in the face of cuts to jobs and budgets. Mechanisms such as the SEN statementing process are already often thwarted and rationed by constraints of time, money and bureaucracy. Once schools have used up their quotas, it becomes more difficult for additional children to receive the support they need. Smaller local authorities in particular often have difficulties because the SEN budget may be spent disproportionately on a few expensive cases. This is likely to become worse.

“The fragmentation of the education service will also make it increasingly difficult to operate a coherent programme for special educational needs and there is a danger that children could fall between different types of school.

“We fear that academies will create a two-tier education system that will damage the ability of local authorities to deliver central services, such as special needs support, to maintained schools.

“Free special schools would create an even more chaotic system that would risk segregating children with special needs instead of including them, hampering their development and also making it more difficult for other children to have positive attitudes to, and understanding of, their peers who have special needs.

“Voice believes that, where possible, children should be included in mainstream education provided they have the appropriate support.

“We would like to see a focus on individual achievement rather than attainment against national benchmarks as progress by children with Special Educational Needs and/or Disabilities (SEND) is often more subtle than can be detected by national tracking systems.

“It is crucial that any policy is suitably flexible and adaptable to reflect and accommodate the complex nature of SEN.

“Voice will study the proposals in detail and participate in the consultation.”<sup>11</sup>

Christine Blower, General Secretary of the National Union of Teachers said:

“Local authorities play a vital role in co-ordinating provision of education for SEN and disabled pupils, backed up by high quality specialist advice. In the context of cuts to LA budgets the most vulnerable children will have access to lower levels of support. To suggest that the voluntary sector can step in to fill the gap is inappropriate.

“Mainstream and special schools also need to be able to build on the strong networks of schools to share responsibility for the success of all children in their area. The implementation of the academies and free schools programme poses a direct threat to such initiatives.

“No teacher can be an expert in all areas of SEN. A new scholarship fund for teachers to study higher level qualifications in SEN is welcome but should not be at the expense of central advisory teams nor the role of the SENCO within schools.”<sup>12</sup>

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<sup>11</sup> [“SEN Green Paper: reducing bureaucracy but fragmenting the system?”, Voice press release, 9 March 2011](#)

Chris Keates, General Secretary of the NASUWT, the teachers' union, said:

"Beyond the rhetoric and hype accompanying the publication of the Green Paper, the key message appears to be that the Coalition Government believes that there are too many children and young people classified as having SEN.

"The evident danger is that the Coalition Government is seeking to redefine what constitutes SEN. In the context of an austerity programme, this can only mean that fewer children will qualify for additional support.

"The reform of critical support for children and young people with SEN is being proposed at a time when the health service is being plunged into the chaos of reorganisation, the free market is being introduced into schools and massive cuts and job losses are being faced by essential services.

"Decisions are being taken in relation to reform of the funding system that could lead to SEN being sidelined, as the Coalition Government has not commissioned any detailed work on the funding of such provision.

"Reliance on the voluntary sector is once again rife in these proposals. This is fanciful at a time when voluntary organisations are struggling for their own survival.

"This Green Paper will not give confidence to those parents who have children currently on the SEN register. It will simply create anxiety and fear that they may no longer qualify for support.

"If this Green Paper is genuinely about seeking to meet the needs of children with SEN and disability rather than about cuts, then the Coalition Government must demonstrate its willingness to have an open and honest debate on this complex and critical issue."<sup>13</sup>

The Association of Teachers and Lecturers (ATL) issued the following press statement just before the green paper was published:

There is a grave danger that pupils with special educational needs will lose out because of the impact of government cuts and changes to education funding, according to the Association of Teachers and Lecturers (ATL).

On the eve of the release of the government's green paper on special educational needs, ATL general secretary, Dr Mary Bousted, warned: "Savage cuts are already been made to many of the specialist services teachers rely on to help them support children with special educational needs. Educational psychologists and speech and language therapists are being made redundant as local authorities cut their funding following budget cuts from government.

"As schools turn into academies and start acting independently we are worried that local authorities will have less funding to provide community education services and there will be increasing pressure on services for vulnerable pupils.

"The SEN green paper needs to strengthen the role of local authorities and external services so they can better support schools, and funding must be found to provide the support needed.

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<sup>12</sup> [Green Paper on SEN, NUT press release 9 March 2011](#)

<sup>13</sup> [NASUWT comments on the special educational needs Green Paper, 9 March 2011](#)

"We also want it to require schools to co-operate in providing SEN support. Statementing needs to be reformed so they happen faster, but there have to be enough specialists available to do this and provide the support needed.

"There needs to be an urgent review of staffing levels in the support services such as educational psychologists and speech and language therapists.

"We would also like the green paper to improve training for staff in working with SEN pupils at initial teacher training, during continuous professional development and through stronger links with external specialists.

"We hope the SEN green paper also recognises the harm to SEN pupils caused by England's exam and testing system and the competition it encourages between schools at the expense of support and co-operation to help the most vulnerable young people."<sup>14</sup>

An article in the *Times Educational Supplement* quoted additional reaction.<sup>15</sup> Further comment from the various SEN charities may be found on their websites.

In response to some of the criticisms made of the green paper, Sarah Teather, the Minister for Children and Families has stressed that central to the green paper is the importance of parental choice.<sup>16</sup>

### **3 Next steps: pathfinders**

On 30 June 2011 the Government invited bids from local authorities and their partners to become green paper pathfinders (SEND pathfinders).<sup>17</sup> At the same time the DFE and the Department of Health are tendering separately for organisations to support the pathfinders and evaluate the programme. Information on this is provided on the DFE website on [SEND pathfinders](#) (dated 8 August 2011), which states:

The pathfinders will be funded to test the core proposals from the green paper: a single assessment process; 'Education, Health and Care Plan'; greater engagement of the voluntary sector; and use of personal budgets.

Bids should come from local area partnerships between local authorities and PCT clusters. We are encouraging bids from partnerships of more than one local area, but bids from single LAs working with PCT clusters will also be accepted. The closing date for applications is 10 am on 15 August.<sup>18</sup>

The Invitation to Tender and a FAQ note on the pathfinders are available as links on the [SEND pathfinders](#) website.

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<sup>14</sup> "Pupils with special educational needs risk being squeezed by government cuts", ATL press statement, 8 March 2011

<sup>15</sup> "SEN shake up will see every child assessed before the age of three", TES, 11 March 2011 p4

<sup>16</sup> Sarah Teather responds to criticism of the special educational needs green paper, DFE, 14 March 2011

<sup>17</sup> HC Deb 20 July 2011 c1046W

<sup>18</sup> <http://www.education.gov.uk/childrenandyoungpeople/sen/b00191706/send-green-paper-pathfinders>