



## Centre for Studies on Inclusive Education

A response to the call for evidence

### **Public Accounts Committee inquiry:**

#### ***Support for children and young people with special educational needs***

The Centre for Studies on Inclusive Education (CSIE) thanks the Public Accounts Committee for this opportunity to submit evidence to the inquiry into *Support for children and young people with special educational needs*

CSIE is a national charity, established in 1982, working to develop more inclusive education for all, especially those with labels of SEN and disability. We offer direct support for inclusive school development, training for educators & pupils, consultancy, and a wide range of resources. Among our recent achievements is an international award (Innovative Practice Award 2016) for "Equality: Making It Happen - A guide to help schools ensure everyone is safe, included and learning". For more information please visit [www.csie.org.uk](http://www.csie.org.uk).

We set out below CSIE's response to the main areas of the Committee's inquiry.

### **1. Performance of the system**

The statutory framework for children and young people with special educational needs has been through successive revisions since the broad framework was introduced in 1981. Prior to each revision of the framework, reports have identified problems with earlier iterations and new arrangements have been put in place to reform the system and to address the identified shortcomings. From the Warnock Report in 1978, to the Lamb Inquiry (2009) and Ofsted (2010), legislation has been informed by carefully researched reports. The Children and Families Act 2014 was designed to bring in a system that was more responsive to<sup>1</sup>:

*(a) views, wishes and feelings of the child and his or her parent, or the young person;*

*(b) the importance of the child and his or her parent, or the young person, participating as fully as possible in decisions relating to the exercise of the function concerned;*

*(c) the importance of the child and his or her parent, or the young person, being provided with the information and support necessary to enable participation in those decisions;*

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<sup>1</sup> The principles set out in Section 19 of the Children and Families Act 2014

*(d) the need to support the child and his or her parent, or the young person, in order to facilitate the development of the child or young person and to help him or her achieve the best possible educational and other outcomes.*

Despite these important principles, since 2014 the education system has become less inclusive, increasing numbers of children and young people are identified as having SEN or as being disabled, are not in our mainstream schools, are achieving poor outcomes, with parents angry about the lack of provision to meet their children's needs, and national organisations pointing to the growing and unsustainable cost of the system. In particular, young people themselves have pointed to the lack of social and educational inclusion, poor support and lack of ambition for them which results in poor outcomes beyond school:

*[the Committee] heard from young people that poor support can result in them being isolated in school, unable to access the curriculum and find it hard to make friends. As adults, the training and employment opportunities were found to be poor, deriving from a fundamental lack of ambition for young people with SEND across the country.*

*Education Select Committee (2019)*

CSIE wants to draw the attention of the Public Accounts Committee to the lack of commitment to securing educational entitlement for all our children, see below.

## **2. The overall picture of the support available and outcomes achieved for those with SEN**

The lack of national commitment to inclusive education has left inclusion as a moral choice for school leaders. Whilst many schools have chosen inclusion, our national systems do not reward such schools for their commitment and do not celebrate their achievements. The consequence is that too many children and young people are not accessing the education that they need, do not feel welcome in school, and outcomes for them are poor.

The disadvantages that they experience have been documented in reports from Ofsted<sup>2</sup>, the National Audit Office<sup>3</sup> and the House of Commons Education Select Committee<sup>4</sup>.

Ofsted<sup>5</sup> has identified a lack of ambition for children with SEN and disabilities; there are higher rates of exclusion, including amongst our youngest children, with unofficial exclusions, 'off-rolling' and 'unexplained pupil exits'<sup>6</sup> applying disproportionately to disadvantaged children, looked after children and those with SEN and disabilities; there

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<sup>2</sup> Ofsted (2021) *SEND: Old issues, new issues, next steps*

<sup>3</sup> National audit office (2019) *Support for pupils with special educational needs and disabilities in England*

<sup>4</sup> House of Commons Education Committee (2019) *Special educational needs and disabilities*

<sup>5</sup> Ofsted (2021) *SEND: old issues, new issues, next steps*

<sup>6</sup> Hutchinson, J and Crenna-Jennings, W. (2019) *Unexplained pupil exits from school*. Education Policy Institute and National Education Union

are higher rates of absence, including persistent absence, severe absence, and simply being out of school, that is, not placed in a school, or awaiting placement.

We also know that schools are less likely to welcome children with SEN and disabilities. Parents on a preliminary visit to a school are being encouraged by school staff to visit a different school, which parents are encouraged to believe may have better SEN and disability provision for their child<sup>7</sup>.

Within the life of the school, teaching and learning for children with SEN is significantly managed by those who are not qualified teachers and they get less access to specialist subject teachers<sup>8</sup>. It is likely that this contributes to poorer progress. Equally, disabled pupils are more likely to miss out on particular areas of school life such as school trips, after school clubs<sup>9</sup> and being invited or elected to positions of responsibility, such as becoming a representative on a school council.

Overall, disabled children and young people and those with SEN are less likely to feel welcomed, that they belong and are included:

*Disabled young people encountered social barriers when trying to feel included in the social community of their school<sup>10</sup>.*

Recent data has highlighted a number of ways in which children and young people with SEN and disabilities are disadvantaged in school and beyond. Research has highlighted poorer progress from the same starting points:

- between the ages of 5 and 7 and again between the ages of 7 and 11, children with SEN fall behind their peers with the same starting points<sup>11</sup>
- at Key Stage 4, the progress of pupils with SEND has consistently been lower than that of pupils without SEND and with the same starting points<sup>12</sup>

In terms of outcomes, disabled young people are more likely to have GCSEs as their highest form of qualification; more likely to have no qualifications at all; and, into adulthood, poorer educational outcomes are linked to poorer life outcomes<sup>13</sup>. Beyond school, disabled young people and those with SEN are less likely to remain in education or training at age 16-17 and less likely to be in any sustained destination - education, employment or apprenticeship<sup>14</sup>. There are wider effects in adult life: the social

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<sup>7</sup> Office of the Children's Commissioner (2014) *'It might be better if you looked elsewhere': An investigation into the schools admission process*

<sup>8</sup> Webster, R. (2022) *The Inclusion Illusion: how children with special educational needs experience mainstream schools*

<sup>9</sup> David Robinson (2024) *Access to extra-curricular provision and association with outcomes*. Education Policy Institute

<sup>10</sup> Armineh Soorenian (2019) for the Alliance for Inclusive Education

<sup>11</sup> Parsons S. and Platt L. (2017) *The early academic progress of children with special educational needs*. British Educational Research Journal. 43, 3

<sup>12</sup> National Audit office (2019) *Support for pupils with special educational needs and disabilities in England*

<sup>13</sup> Office for National Statistics (2021) *Outcomes for disabled people in the UK: 2021*

<sup>14</sup> DfE (2024) *Special educational needs and disability: an analysis and summary of data sources*

isolation experienced by disabled adults has been linked back to the social isolation experienced at earlier stages of their life<sup>15</sup>.

It was never envisaged that schools would have sole responsibility for children and young people with SEN and disabilities. The Warnock Report of 1978 envisaged more children with SEN being included in mainstream schools and focused on a number of aspects that would need to be addressed in order to make sure increased ‘integration’ (the term at the time) was successful. In particular, the report highlighted the need to ensure specialist expertise was available in local services in order to support schools where they did not have, and could not be expected to have, all the relevant expertise to support the range of children they would admit.

The capacity of schools to respond to children with a range of SEN and disabilities, continues to be significantly affected by the availability of specialist local education, health and care services. In recent years, there has been significant erosion of local specialist services such as educational psychologists, speech and language therapists, physiotherapists, autism outreach, teachers of the deaf and other sensory specialist teachers:

- The National Deaf Children’s Society found a 17% decline in the number of qualified Teachers of the Deaf since 2011 and a decline in the numbers in training.
- In 2019 Royal National Institute for the Blind (RNIB) reported that 23% of local authorities had cut funding for their Visual Impairment (VI) services in the preceding two years and that a further 21% had frozen their budgets. In total, 75% of local authorities had either cut or had not increased funding for their VI services in line with inflation<sup>16</sup>.
- In 2016 a survey of speech and language therapists carried out by the Royal College of Speech and Language Therapists found only 40% of respondents said they had the capacity to deliver services to children *without* Education, Health and Care (EHC) Plans and 43% said that speech and language therapy support was not being commissioned for children aged 0-2 years.
- In 2015, the Challenging Behaviour Foundation reported a lack of local behavioural support when children were young, and professionals with little or no training or expertise in challenging behaviour<sup>17</sup>.

Schools vary widely but so do local authorities in the extent to which children and young people with SEN and disabilities are included in mainstream schools. The latest Trends Report that we commissioned shows the proportion of children placed in special

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<sup>15</sup> Parsons, S. and Platt, L. (2019) *Growing up Lonely: Exploring the social outcomes of three generations identified with special educational needs or disabilities in childhood*. LSE Working Paper 08-19

<sup>16</sup> RNIB (2019) *Left out of learning*

<sup>17</sup> The Early Intervention Project (2015) *Paving the Way: How to develop effective local services for children with learning disabilities whose behaviour challenges*. Challenging Behaviour Foundation and Council for Disabled Children

schools or other separate settings from 2014 to 2017 for each local authority in England. The report brings to light disturbing local variations:

*Like other Trends reports before it, this reveals huge variation in the way local authorities respond to diversity; some rely more on ordinary local schools, while others regularly send high proportions of children to separate special schools. These differences bear no simple relation to the size of a local authority or its social or geographical characteristics<sup>18</sup>.*

With global calls for inclusion under the UN Convention on the Rights of the Child, the UN Convention in the Rights of People with Disabilities, and Sustainable Development Goal#4 all calling for the achievement of inclusive and quality education for all children, the United Kingdom has been criticised for slow progress and for going backwards in some areas of our educational life.

CSIE is committed to a more inclusive system. We remain committed to the vision that all children are safe, included and learning in their local school, and we hope to continue getting closer to this vision in the days, months and years to come.

### **3. Government action to create a sustainable SEN system and restore confidence**

This moment of review by the PAC, and in the light of the NAO report, represents an opportunity to review the mainstream of our education system, to consider the architecture of the system as a whole, rather than revisit the detail of the SEN system.

This is the opportunity to build capacity in schools and strengthen inclusion. It offers a different way to address the issues identified in the Green Paper of 2023 and the SEND and Alternative Improvement Plan published in 2024. Our approach is supported by the findings of Ofsted in their 2021 report:

*...we cannot underestimate the importance of good-quality universal services for children and young people with SEND across education, health and wider children's services, alongside more specialist health or social care support where needed. The availability and effectiveness of these universal services can prevent a child or young person from needing something additional or different. A child or young person should never be labelled as having SEND because of a poor-quality curriculum or ineffective teaching, or weaknesses in universal health or care services. This was something that we saw too frequently in 2010 and, worryingly, something we still too often find<sup>19</sup>.*

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<sup>18</sup> Black, A. and Norwich, B. (2019) *Contrasting responses to diversity: school placement trends 2014-2017 for all local authorities in England*

<sup>19</sup> Ofsted (2021) *SEND: Old issues, new issues, next steps*

CSIE believes that we can only achieve more equitable access to education and a more inclusive system, with better outcomes for children and young people with SEN and disabilities, by reforming the education system itself. We set out below some of the key aspects of the system that need to be addressed in order to achieve this.

## **Curriculum and assessment**

CSIE welcomes the fact that a review of the current curriculum and assessment system is already underway.

The structure of the 2014 national curriculum acts as a disincentive to schools to include the significant numbers of children and young people who perform outside the national expectations. It does not support schools and teachers in an inclusive approach. With specific content for each year cohort, children who have not met expected levels at the end of the previous key stage have no obvious curriculum entitlement as they move into the next key stage. Without proper links or clearly articulated pathways, these need to be constructed by schools and teachers. This makes it harder to tailor provision for each child and harder to teach inclusively.

A new curriculum, with supporting assessment arrangements, needs to recognise a wider range of achievement, acknowledge the progress of all children and young people, and provide a wider range of qualifications at the end of compulsory schooling, thereby supporting young people with SEN and disabilities to progress to further education, higher education, training or a range of employment options.

## **Teacher training**

The low levels of teacher confidence in supporting the learning of children and young people with SEN undermines the quality of the education they can provide:

*‘...the level of confidence amongst teachers in supporting children with SEND is low. In 2019, 41% of teachers reported that there is appropriate training in place for all teachers in supporting pupils receiving SEN support. This is a significant decrease since summer 2018 when 59% of teachers agreed with this statement.’<sup>20</sup>*

If more children and young people are to have their needs met in inclusive mainstream settings, the proposed changes to Initial Teacher Training and the Early Career Framework need to include:

- the incorporation of SEN and disability into the subject-specific parts of teacher training;
- approaches that are inclusive and do not separate out pupils with SEN and disabilities;

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<sup>20</sup> DfE (2022) SEND Review: Right support, right place, right time

- equipping teachers with a greater understanding of the requirements of the Equality Act and how to identify effective reasonable adjustments for disabled pupils.

Teachers will require training in the revised national curriculum and CSIE argues that this needs to include a focus on teaching the curriculum to pupils with SEN and disabilities, so that, for example, maths teachers are confident in teaching the new curriculum to the wide range of pupils in their classes and can take responsibility for their learning as they do for other pupils.

It is also important to ensure that teachers are supported by specialist services. As part of this, it is important to build career pathways into the system so that teachers can progress to specialist services.

### **Workforce planning**

Training needs go beyond teachers in schools. In CSIE's view, there needs to be a long-term, comprehensive, coherent and systematic workforce development plan across education, health and care so that:

- all staff in schools and settings have the initial training and subsequent professional development they need to be able to identify and support children and young people with SEN and disabilities, including training on disability duties in Equality Act 2010;
- specialist expertise and support is available to schools and settings and to children and young people themselves, where and when it is needed;
- the range of specialist services can be fully identified, with an audit carried out of their capacity and availability to support schools, along with plans and funding to meet the shortfall;
- care and health, including social workers, health visitors are trained and engaged in supporting children and young people with SEN and disabilities and their families

### **The disability duties in the Equality Act 2010**

CSIE is concerned that awareness of the Equality Act duties to disabled pupils is low and remedies for disability discrimination are weak. In addition, there has been no systematic gathering of the evidence of the impact of remedies currently ordered by the Tribunal. This is not just about what remedies are applied: there is currently no follow up to check whether remedies have been put in place and, if they have been, what the impact was. CSIE would welcome a review of the effectiveness of remedies.

Behaviour policies, in particular, risk prizing consistency over the need to make reasonable adjustments and the need to respond proportionately to disabled pupils.

*treating everyone the same and applying the school's rules and procedures on behaviour management regardless of disability, discriminates against a pupil whose disabilities call for a proportionate response, or adjustments, to be made<sup>21</sup>.*

Ofsted has identified a lack of understanding of the disability duties in the Equality Act 2010, and made clear that inspectors had seen examples of schools:

*giving parents an ultimatum – permanent exclusion or leave – or pursuing fines when a reasonable adjustment for a disability would have been more appropriate (Ofsted, 2019).*

There is also a wider issue: the question of how much discrimination goes unchallenged because parents are reluctant to make a claim. In CSIE's view, any exploration of the effectiveness of remedies should also explore easier routes of redress for parents and for children and young people themselves.

A more inclusive system is dependent on greater awareness of the ways in which disabled pupils are currently at a disadvantage, and greater capacity to address these disadvantages. CSIE considers that there is a need to incorporate a sound understanding of the duties into initial teacher training. In addition, the EHRC should be commissioned to review and report on how well schools, early years settings and colleges are following the Equality Act duties in relation to disabled children and young people and make recommendations to the DfE on how any shortcomings should be addressed.

## **Funding**

CSIE believes that to support a more inclusive system, we need to resource mainstream schools and settings to enable them to respond better to the full range of diversity. A lack of response to children's needs, excluding them, allowing them to leave school with poor outcomes is ultimately more costly than an early response to their needs, keeping them in school, and ensuring they leave school with the right skills and qualifications to progress to employment, education or training, to live independently, to participate in society and to live as healthily as possible in adult life.

The European Agency for Special Needs and Inclusive Education<sup>22</sup> project on *Financing Policies for Inclusive Education Systems: Resourcing Levers to Reduce Disparity in Education (FPIES)*<sup>23</sup> aimed to systematically examine different approaches to educational financing and identify effective funding policy tools focused on reducing disparity in education. The analysis presented in their report examines fundamental

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<sup>21</sup> Stobbs, P. (2022) *Equality Act 2010: Disabled Children and the Equality Act 2010: What teachers need to know and what schools need to do*. Council for Disabled Children

<sup>22</sup> England is a member of the European Agency for Special Needs and Inclusive Education, along with Wales, Scotland and Northern Ireland, each nation having separate membership.

<sup>23</sup> European Agency for Special Needs and Inclusive Education (2018) *Financing Policies for Inclusive Education Systems: Resourcing Levers to Reduce Disparity in Education*



topics that connect funding mechanisms for inclusive education systems to four resourcing issues.

*These issues frame the quality of inclusive education and its cost-effectiveness within important topics or policy dimensions to be considered in implementing effective, high-quality and cost-effective inclusive education policies. These issues are:*

- *Preventing costly and inequitable exclusionary strategies*
- *Providing incentives for a school-development approach that supports schools' social responsibility towards inclusive education*
- *Ensuring innovative and flexible learning environments through capacity-building*
- *Developing transparent and accountable systems for inclusive education.*

### **Framework of values**

CSIE is concerned that many of the approaches put forward to date, in the Green Paper and the Improvement Plan, focus on driving down demand rather than managing the drivers of that demand. In effect, they are designed to address high costs, and not the poor outcomes and parental dissatisfaction that are driving the high costs.

CSIE believes that all the problems identified above relate to key areas of wider education policy that are undermining inclusion and the achievement of better outcomes for children and young people with SEN and disabilities. These are not intrinsically related to the statutory SEN framework and will not change with any further changes to the SEN framework.

There are no quick fixes, there are only long-term solutions. The clear articulation of a core set of values should frame the range of reforms that are required. CSIE advocates the promotion of a framework of educational entitlement for all children and young people based on a set of values and principles. This would not incur undue additional costs. The European Agency for Special Needs and Inclusive Education has developed a set of key principles for an inclusive education system. This provides a helpful model on which to base our own national entitlement<sup>24</sup>.

Without a clearly communicated, framing set of values, any developments to address the long-standing problems of the system are likely to exacerbate, rather gradually resolve, these problems.

CSIE welcomes the early steps that the DfE has taken to the review the curriculum and assessment framework and their acknowledgement of the need to review teacher training. These steps are important, but, on their own, will not address the multiplicity of

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<sup>24</sup> European Agency for Special Needs and Inclusive Education (2021) *Key Principles Policy Brief: Supporting Policy Development and Implementation for Inclusive Education*.

issues that need to be addressed to lead to a more inclusive future with better outcomes for all children and young people.

CSIE offers its support to the Public Accounts Committee in its exploration of how Government action can create a sustainable SEN system and restore confidence.

For further information please contact Dr Artemi Sakellariadis, CSIE director, at: [artemi@csie.org.uk](mailto:artemi@csie.org.uk) or on 0300 302 3012.

## Appendix 1: Inclusion Charter

[Microsoft Word - InclusionCharter.doc](#)

