

LONDON ASSEMBLY

Together

Transforming the lives of children and young people with special education needs and disabilities in London



Education Panel

July 2018

Holding the Mayor to
account and
investigating issues that
matter to Londoners

LONDONASSEMBLY

Education Panel Members



The Education Panel's role is to review and investigate the development and delivery of the Mayor's education policies.

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Jennette Arnold OBE AM

Chair of the Education Panel



This report pulls together the findings of the review undertaken by the London Assembly Education Panel. It has been my privilege to lead the process and I want to thank all those who have given evidence and helped to shape our findings.

Our investigation set out to examine the challenges facing Special Educational Needs and Disability (SEND) provision in London, including the capacity and funding issues specific to the capital. We then sought to identify what role the Mayor could play in helping to address the challenges we identified.

Over the last year we have held discussions with, visited and taken evidence from a wide range of stakeholders. I know from parents and carers, and have witnessed personally, the inspiring work being done by nursery workers, by teachers and teaching assistants, by volunteers, by healthcare professionals and by officers in town halls.

But, amidst some truly inspiring work, there are some real challenges. We found:

- Over 200,000 children and young people were assessed as having some level of special need in London – that’s around 14 per cent of young Londoners.
- In the last ten years there has been a 20 per cent increase in the number of children and young people with high-level needs – and the types of need are increasingly complex. That’s almost 7,000 more children and young people who need specifically funded extra support than a decade ago.
- The shortfall in the high needs budget is putting severe pressure on the resources available in schools to support children with SEND.
- According to a survey by the Association of Teachers and Lecturers (ATL) 83 per cent of teachers thought children and young people with SEND were not getting the support they needed.
- The vital work of Special Education Needs Co-ordinators (SENCOs) needs continuing support.

“In the last ten years there has been a 20 per cent increase in the number of children and young people with high-level needs.”

- Formal identification and diagnosis is often not happening at an early enough stage, which hampers the ability of schools and other organisations to provide the right level of support for children and young people with SEND.
- There is concern that the current assessment system means that some schools could be discouraging students with SEND from applying to their school.
- Post education, there is a lack of job opportunities, training and work experience for young people with SEND across London.

In order to facilitate a truly inclusive approach we looked at a diverse range of proposals – including the provision of more play areas that are safe and meet the needs of children with SEND; the formal training of transport staff in supporting children as they navigate the city; and the introduction of a SEND Champion to guide the development of future strategies.

There are examples of excellent practice around London that offer some hope and we need to look at how they might inform practice more widely. But, we need to do more; we need a transformation in the levels and quality of support given to children and young people with SEND; and we need to lead a transformation in the way our children are seen by and reflected in society.

We call upon the Mayor to use his powers in relation to social inclusion to influence the wider system across the capital. In that context, we make a series of recommendations to the Mayor about future action he may wish to take.

I would like to thank all members of the panel, officers of the GLA and everyone who has contributed to our work by facilitating visits, sharing views and providing submissions to us. The final report sets out an ambitious series of recommendations -our children deserve nothing less.

Summary

In 2017, 14 per cent (around 204,000) of children and young people in London were assessed as having some level of Special Education Needs and Disabilities (SEND); 41,000 of these children and young people had high needs and had either a special educational statement or new Education, Health and Care Plan (EHCP).

As London's school-aged population continues to grow, there will be more children and young people who need additional support to be the best they can be. If the proportion of children assessed as needing an EHCP remains the same, London will need to provide support for 2,340 more young people of secondary school age, many with complex needs, over the next five years.

The Government recognises these pressures and announced special provision funding for local authorities across the country to create places for pupils with SEND. Our report sets out the action we want to see the Mayor take to ensure that London is able to access these funds and that the new school places are established in those areas where the need is greatest.

Nevertheless, there are considerable concerns about the insufficient level of funding provided to schools for their pupils with high needs. Across London, while high needs allocations to boroughs has increased by two per cent between 2013-14 and 2016-17, budgets increased by 13 per cent and actual spend by 16 per cent to meet the growing numbers of pupils with high needs. Many local authorities are cross-subsidising SEND support and carrying forward large deficits. This is clearly unsustainable and parents and carers are coming together to campaign as support is cut back. The Mayor must keep the pressure on Government to ensure that high needs allocations are growing in line with need.

Close working between different partners and organisations is needed to support children and young people with SEND, their parents and carers. Nurseries, schools and colleges play the leading role, but input from the local authority and the health sector is vital. The new system relies heavily on parents being able to advocate for their children – for some it is a constant battle.

Recent joint Ofsted and Care Quality Commission (CQC) SEND local area reviews confirm the picture that local authorities and the NHS are struggling to work together. In a third of the nine London local authorities Ofsted and the Care Quality Commission inspected there are such significant concerns

about the level of weakness in local area practice that a written statement of action has been required.

While the Mayor has no statutory role in the education sector he does have convening powers and the ability to take a lead and inspire. He has the ability to lobby and to access capital for investments. He has a skills and employment strategy. Our report has, therefore identified a series of interventions where the Mayor can make a real difference; this includes at the early years stage, providing more support for London's Special Education Needs Co-ordinators (SENCOs) and for young people as they exit the school system and move into the world of work.

But there is more he can do. Many services that we all access on a day-to-day basis (leisure, shopping and transport) are not currently easily accessible for children and young people with SEND. Our report therefore sets out specific recommendations around boosting the availability of high quality play spaces for children and young people with SEND and initiatives to facilitate their journeys on the public transport system.

Finally, in order to bring all these proposals together in a strategic approach to the needs of our children and young people with SEND we want the Mayor to appoint a SEND champion, someone who can promote the views of children and young people with SEND, and their parents and carers into the heart of London government's decision-making process.

Recommendations

Recommendation 1

The Mayor should lobby the Secretary of State for Education:

- to provide real terms funding increases per pupil with high needs, taking into account future growth in the number of SEND pupils
- to allow local authorities full flexibility to transfer funding between the schools and high needs block of the dedicated schools grant

Recommendation 2

Lobby Secretary of State for Education to work with the GLA and local authorities to create new special free schools where the pan-London projections indicate areas of high demand for SEND places.

Recommendation 3

The Mayor should convene a pan-London SEND network to support the closer working of health, education and local authority leads to assess learning from the local area reviews and the transition of children and young people to EHCPs.

Recommendation 4

The Mayor should support a trial in his Early Year Hubs to create a best practice template which uses the Early Years Foundation Stage (EYFS) profile to evidence any concerns about a child's knowledge, understanding and abilities. Done in a clear and transparent way this document can transfer to the child's primary school placement in advance of the child actually starting at the school to ensure that the primary school is ready and able to welcome the child on day one.

Recommendation 5

The Mayor should assess the viability of supporting the establishment of a dedicated centre for training SENCOs. He should do this by convening a high-level meeting with London's teaching schools that specialise in providing SEND teaching and learning to assess demand and to discuss viability.

Recommendation 6

As part of his next Education report the Mayor should profile schools who are able to demonstrate excellent progress for pupils with SEND and how their performance can be differentiated within the overall school's performance data. This could then be used as a template for all schools who are concerned that the high number of SEND pupils in their year groups might be affecting their average scores.

Recommendation 7

In response to this report we want the Mayor, in line with the commitment in his skills strategy, to set out how he intends to utilise the devolution of the Adult Education Budget to support training provision for young people with SEND across the FE sector and including independent and charity run colleges.

Recommendation 8

- The Mayor should lead an audit of possible suitable posts within the GLA and functional bodies to identify a number of supported internship opportunities.
- Using his Business networks, the Mayor should encourage more large organisations to come forward as "willing employers" able and willing to commit to setting up supported internships.

Recommendation 9

The Mayor should convene a working group to assess the viability of supporting the creation of a showcase specialist playground and ways of adding accessible play equipment to local parks.

Recommendation 10

The Mayor should fund a number of special Bus Days to bring together children and young people with SEND and their parents and carers with bus drivers at a bus depot whose buses are used on a regular basis by those children and young people to “do the school run”. A pilot scheme of adverts and messages should be trialled to begin to challenge pre-conceived ideas about children and young people with SEND.

Recommendation 11

The Mayor should appoint a SEND Champion to ensure that the interests of our children and young people with SEND, their parents and carers, play a part in shaping the strategies, policies and services that directly impact on their journey through school and into adulthood.

Introduction

- 1.1 Whilst the Mayor does not have statutory responsibilities in the area of education, he does have a responsibility to promote the social and economic development of the city. Crucially, the Mayoralty has a leadership role as the voice for London, alongside London Councils, to make the case for adequate funding levels for the education sector.
- 1.2 The current Mayor, Sadiq Khan, is focused principally on supporting the provision of quality early years support and early intervention, improving social mobility through learning and education, preparing young Londoners for the world of work and giving young people a voice. There are a number of particular programmes that are funded by the Greater London Authority (GLA) such as Getting Ahead London to coach and mentor aspiring headteachers.¹
- 1.3 The Mayor is also committed to tackling inequalities and supporting greater social integration and two strategic documents have been published which set out his vision and map the action needed. However, SEND is not mentioned at all in the strategy for Social Inclusion and there is only a passing mention in the vision document for creating a diverse and inclusive city.
- 1.4 Children with special needs are unlikely to have the same educational outcomes as their peers; just a third of pupils with SEND in London will achieve a good level of development by age five and just a third of SEND pupils in London achieve five good GCSEs including English and mathematics – albeit this is six percentage points higher than nationally. Furthermore, children and young people who have SEND are likely to have a tougher time at school than their peers. Pupils with SEND were found to be excluded, absent or missing from school much more frequently than other pupils nationally.²
- 1.5 Bullying levels are also higher for children with special needs. The Annual Bullying Survey 2017, run by anti-bullying charity ‘Ditch the label’, which covered over 10,000 young people aged 12-20 years old found that 70 per cent of those with a disability had experienced bullying, in comparison to 50 per cent of those without a disability who had experienced bullying. The proportion of those with autism or Asperger’s who had experienced bullying was even higher at 75 per cent.³
- 1.6 Our report therefore seeks to bring support for children and young people with SEND clearly into the Mayor’s gaze. Our report is ambitious but also practical in intent. It focuses on those areas where the Mayor can make a difference. We have focused principally on those transition points, the points at which a child or young person transfers from one setting to another (nursery to primary, secondary into tertiary, and into vocational or independent living) and on areas where the Mayor has specific powers to make change happen such as in the fields of planning, transport and skills funding.

“Our report therefore seeks to bring support for children and young people with SEND clearly into the Mayor’s gaze. Our report is ambitious but also practical in intent.”

2. Mapping the landscape: rising demand, squeezed resources

- Around 204,000 children and young people in London were assessed as having some level of special education need or disability; 41,000 of these children and young people had high needs and had either a special educational statement or new Education, Health and Care Plan (EHCP)
- As its population continues to grow, London will need to deliver thousands of new school places for children with special needs – many with complex needs.
- There are considerable concerns about the insufficient levels of funding provided for pupils with complex needs.
- Those cost pressures will affect the ability of mainstream schools to provide high quality additional support to those children.

Mapping the landscape

- 2.1 A child is considered to have a Special Education Need or Disability (SEND) if they have a significantly greater difficulty in learning than most pupils of their age, or a disability which means that they cannot make full use of the general educational facilities provided for pupils of their age. This covers a wide range of needs including autistic spectrum disorders, speech, language and communication needs, visual and hearing impairments, physical disabilities, and learning difficulties among others.
- 2.2 In 2017, 14 per cent (roughly 204,000) of children and young people in London were assessed as having some level of SEND; 41,000 of these children and young people had high needs and had either a special educational statement or new Education, Health and Care Plan (EHCP). The other children and young people had low to medium needs and received some level of SEND support but will not have a SEN statement or EHCP.
- 2.3 The proportion of children and young people with a SEN statement or EHCP in London was 2.9 per cent in 2017, in line with proportion across the whole of England (2.8 per cent). However, because London's school population is increasing much faster than the rest of England the actual number of pupils with EHCPs is increasing at a faster rate in London than in the rest of England (20 per cent increase in the last ten years, compared to four per cent nationally).
- 2.4 This means that there are 6,850 more children and young people with EHCPs or statements for high needs than in 2007 and the numbers are expected to continue to grow in line with the overall growth projections for school aged children in London. Some boroughs, such as Hackney, have seen nearly 600 more children with high needs who need additional support or a special school place. In other areas the increase has been more modest, for example Harrow has seen an increase of 200 more children with high needs, but this is still equal to a whole one-form entry school's worth of children.
- 2.5 A recent analysis of children and young people in London's special schools shows how the characteristics of those children with high needs are changing, with increasing numbers with autism spectrum disorder and severe learning difficulties. The rise in the number of children with increasingly complex needs is putting pressure on the ability of local authorities and other partner bodies to provide a fully inclusive education and to commission and tailor specialist support for those children and their families.
- 2.6 In London, around a third of children with SEND are taught at a special school compared to nearly half for the rest of England, despite London having a similar proportion of children assessed as having some level of SEND. For many parents the right choice for their child is a place in a mainstream school mixing with different children from across the ability range, while for others a

“The rise in the number of children with increasingly complex needs is putting pressure on the ability of local authorities and other partner bodies to provide a fully inclusive education.”

more intensive package of support is needed through a place at a special unit or special school.

- 2.7 London does, however, have a higher proportion of children with SEND, around nine per cent of the total, educated in independent provision than the rest of England where the figure is 6.6 per cent. The cost of placements in independent provision, which are often covered by the local authority, is placing further pressure on high needs budgets in London.

Meeting the cost of supporting children with special needs

- 2.8 Schools are not expected to meet the full costs of more expensive special educational provision from their core funding. They are expected to provide additional support which costs up to a nationally prescribed threshold per pupil per year; i.e. the first £6,000 of funding. The responsible local authority, usually the authority where the child or young person lives, should then provide additional top-up funding where the cost of the special educational provision required to meet the needs of an individual pupil exceeds the nationally prescribed threshold. This all has to be negotiated.
- 2.9 London Councils has considerable concerns about the insufficient level of funding provided for pupils with high needs who are supported by additional funding through this high needs block of the Dedicated Schools Grant (DSG)⁴. They quote research that shows how while high needs allocations to boroughs has increased by two per cent between 2013-14 and 2016-17, budgets increased by 13 per cent and actual spend by 16 per cent to meet the growing numbers of pupils with high needs.
- 2.10 The local consequences of this are stark; as we heard, for example, from Barking and Dagenham, “the Government’s own modelling on the implementation of the high needs block formula shows that Barking and Dagenham is underfunded by £4.7m of which only £0.7m will be received in the first year. This effectively means that the pressure of meeting the very significant needs of these vulnerable children and young people will have to be met from the Schools block either directly as a funding transfer or indirectly through our schools having to accommodate these needs within their existing budgets.”⁵
- 2.11 At an individual school level there are a number of costs associated with support for children and young people with high needs that aren’t covered by the money allocated to that child from the high needs block. For example, the costings for teaching assistant support may not meet the true costs of the grade of teaching assistant that is needed to properly support that child or young person. Furthermore, there’s no allowance made for cover for the teaching assistant to take lunch or breaks or for after-school events. There’s also no recognition that as the number of children in the school with SEND increases the pressure on the school’s Special Education Needs Coordinator

(SENCO) also increases. They are responsible for organising therapies, communicating with parents and the local authority, supporting the looked after children and spending time with those children who have low to moderate special needs. This often requires the school to cross-subsidise from other budgets to meet the shortfall. Some schools we are aware of have estimated that the gap between what they receive to support their children with SEND and the true costs run into hundreds of thousands of pounds a year.

- 2.12 A new National Funding Formula (NFF) will be implemented in 2018-19 to provide a 'fairer system'. Every school will receive at least a 0.5 per cent a year per pupil cash increase, and schools classed as underfunded will receive a per pupil cash increase of up to three per cent per year. However, because of historically higher levels of funding for London schools two-thirds will receive the minimum 0.5 per cent annual increase. Yet the National Audit Office (NAO) forecasts costs pressures of 1.6 per cent in 2018-19 which means that, according to London Councils, only 27 per cent of London schools will receive the 1.6 per cent funding uplift to prevent a real terms cut in funding.⁶
- 2.13 Such cost pressures will undoubtedly affect the ability of mainstream schools to provide high quality additional support to those children with special needs. In the words of one SENCO, "the cuts are disastrous. We are unable to provide the provision required for those children who are most vulnerable".⁷
- 2.14 The high needs block will also be affected by a new NFF. This NFF considers historic spend on high needs as well as proxy factors such as population size, educational attainment and free school meals.⁸ A key difference between the new and old systems is that the new funding blocks are now ringfenced, therefore schools will be unable to transfer money to 'plug' funding gaps in other areas. The Department for Education has acknowledged the need to have some level of flexibility and schools will be able to transfer 0.5 per cent of the schools' block with the agreement of the local schools' forum.⁹ According to NASUWT, "such a restriction could impact on the viability of provision that requires larger transfers of resources between blocks than this range would permit."¹⁰
- 2.15 Although we have not examined the funding changes in detail we have received submissions which highlight key concerns from schools and local authorities. According to a joint submission by London Councils and the Association of London Director of Children's Services (ALDCS), in 2016-17 spend on high needs was greater than the amount allocated through the High Needs Block in 26 out of 31 boroughs, with an aggregate shortfall among overspending boroughs of £100 million (equivalent to 13 per cent).¹¹ Local authorities diverted around £46 million from other blocks and had to draw on £20 million of reserves to 'plug' this funding gap.¹² Nine local authorities in London will carry forward a dedicated schools grant deficit of £30 million in 2017-18.¹³ This is clearly unsustainable and parents and carers are reacting by organising protests to campaign against the cuts.

- 2.16 In Hackney, for example, there have been protests outside the Town hall and a fund-raising campaign to seek judicial review of the Council’s decisions to cut the high needs budget. In response, the local authority held an extensive consultation on proposals for how best to allocate its high needs funding. It is proposing a new model for funding tailored support for children with SEND which would allow the local authority to respond quickly to pupils’ needs and help use the available resources more effectively.

Recommendation 1

The Mayor should lobby the Secretary of State for Education:

- to provide real terms funding increases per pupil with high needs, taking into account future growth in the number of SEND pupils
- to allow local authorities full flexibility to transfer funding between the schools and high needs block of the dedicated schools grant

Meeting the school places challenge

- 2.17 After a decade of rapidly growing birth numbers in the capital, annual births peaked in 2012, then fell back, and have remained relatively steady since. The ‘bulge’ in pupil numbers is passing through London’s primary schools and into secondary. According to projection data from the GLA, there will be a need for around 78,000 more secondary school places by 2023-24, which is equivalent to 65 standard 1,200-place secondary schools.
- 2.18 London will need to deliver more school places to meet this growing need. Expansion of existing good and outstanding schools is possible, but increasingly difficult as many of the easier expansion options have already been taken. All new investments must be to create free schools and there are 84 in the pipeline across London.¹⁴ These are made up of two alternative provision schools, 15 special schools and 67 mainstream schools (primary and secondary).
- 2.19 If the proportion of children assessed as needing an EHCP remains the same, London will need to provide support for 2,340 more young people of secondary school age with complex needs. Many of these children are very likely to need or choose to attend special schools and it is not clear that the potential number of special school places required may not be met by the 15 proposed special schools. Furthermore, given that new free schools are not generated through a strategic-needs based planning system it is unclear that the new schools will necessarily be sited in areas of most need.

- 2.20 In 2017, the Government recognised these pressures and announced special provision funding for local authorities across the country to create places for pupils with SEND, and to improve facilities for them in mainstream and special schools, nurseries, colleges and other education providers. In total some £265m of funding has now been made available for spending up to 2021. In London the amounts distributed based on demographic and cost factors varied from just £616,000 for Kensington and Chelsea, and Hammersmith and Fulham to over £4m for Tower Hamlets.
- 2.21 Mayoral planning powers can ease the pressure on school places in London by ensuring they are located where there is need, not just wherever there might be space or parental interest. The Mayor’s draft London Plan acknowledges the need for an increase in SEND provision in London. The Mayor’s planning guidance requires that all new schools meet the highest standards of accessible and inclusive design.
- 2.22 The Mayor is committed to developing a pan-London projection for SEND places. Initially these projections will be produced on a pan-London basis but they clearly need to be broken down to a sub-regional or a borough level. It will be important to identify where there might be need for additional special schools. The 15 special schools in the free school pipeline must be aligned to need. Furthermore, it is important that special schools are not planned in isolation from other investments in health and social care facilities that will be needed to support the children and young people with SEND. A proposed amendment to the draft London Plan by the London Assembly would require all boroughs to identify sites for special schools where there is need. The Mayor should support the proposed Assembly amendment.

Recommendation 2

Lobby Secretary of State for Education to work with the GLA and local authorities to create new special free schools where the pan-London projections indicate areas of high demand for SEND places.

3. Bringing all the parties together

- Close working between different partners and organisations are needed to support children and young people with SEND, their parents and carers.
- However, many schools continue to feel they carry most of the burden to support children with SEND due to a lack of collaboration between the local authority and the NHS.
- Furthermore, the new system relies heavily on parents or carers being able to advocate for their children; which raises concerns over the equality of access of SEND provision.

Bringing all the parties together

- 3.1 Close working between different partners and organisations is needed to support children and young people with SEND, their parents and carers. Nurseries, schools, and colleges play the leading role, but local authorities have statutory responsibilities and provide different levels of support, for example respite care, and funding. The role of the health sector is also vital; a range of medical interventions may be needed along with therapies to support the child or young person integrate into the school and the wider world. And there are a range of representative organisations, charities and third sector bodies that can provide further support and advice.
- 3.2 The Children and Families Act 2014 brought together separate pieces of legislation¹⁵ to try to provide simpler, improved and consistent help for children and young people with SEND and their parents/carers.¹⁶ The Act was described as the biggest education reforms in a generation¹⁷ and key measures included:
- A duty on local authorities to produce a ‘Local Offer’, which details all the services to support children and young people with SEND and their families.
 - A duty to undertake joint assessment, planning and commissioning of services between education, health and social care to ensure more streamlined and integrated support through a new assessment process and the replacement of special educational statements with Education, Health and Care Plans (EHCPs) covering a child and young person from birth to 25.
 - The option for parents, families, carers and young people to have a personal budget.
 - Providing greater powers for the local authority to continue services post-18 and introducing new protections for young people aged 16-25.
- 3.3 The accompanying Code of Practice, which runs to some 250 pages, clearly sets out the duties for all education, health and social care stakeholders so that it is everybody’s responsibility to support children and young people with SEND and not just one isolated individual within a school setting. Our evidence indicates that children and young people and their families are now much more involved in decisions about their care and education.¹⁸ Parents tended to agree that they had been able to influence their child’s care,¹⁹ with some being actively involved in setting and reviewing objectives and evaluating outcomes.²⁰
- 3.4 However, some parents felt that they still had to advocate strongly for any influence, with some feeling that they had to take cases to tribunal. Other parents simply did not think they had been able to contribute to any decisions about their child’s care. One submission highlighted how “the language of conflict pervades all discussion about special educational provision. In the

worst cases, relationships between families and local authorities break down completely.”²¹

- 3.5 The reliance on parents to ‘fight’ for access raises concerns over the equality of access of SEND provision:

“The new system relies heavily on parents being able to advocate for their children. This means the new system is inequitable as some parent/carers may not be able to advocate for their child due to numerous factors (e.g. unable to attend meetings, language barriers, confidence, their own support needs etc).”²²

- 3.6 At the heart of the reforms is a move away from a statement of special educational need to an Education and Health Care Plan (EHCP), which should breakdown the siloes between health, education and social care and deliver a more holistic package of support. As parents are seeing an EHCP as a ‘golden ticket’ to better outcomes many more are applying for an EHCP even if their child’s need might not require it.²³ Furthermore, the new EHCP assessment process covers a wider age range (i.e. up to 25 years of age), so more children and young people must be assessed, and the process is more time intensive. Consequently, some boroughs have flagged that they currently lack capacity to complete the higher number of assessments that are coming through the system.²⁴ For example, in one borough we heard from (Enfield), in 2014 1,300 children and young people had statements but in 2017 over 2,000 children and young people have EHCPs.²⁵
- 3.7 There is evidence that some local authorities struggled to carry out EHCP assessments in the 20-week timeframe²⁶ and some missed the 31 March 2018 deadline for transfers from SEN statements, though the exact number for London is unclear as information provided to the Department for Education is confidential. We have also heard widespread concerns about the variable quality of those EHCPs. Further resources must be found to ensure that all Plans are completed to a sufficiently high standard and in time to ensure schools are able to access the resources needed to adequately support SEND children and young people.

“Many schools continue to feel they carry most of the burden to support children with SEND and their families due to the lack of collaboration between the local authority and the NHS.”

Breaking down the silos

- 3.8 Despite the push towards collaboration, many parents we heard from found the changes to be minimal and indeed one school said that the changes have had no impact on working together with the NHS. Many schools continue to feel they carry most of the burden to support children with SEND and their families due to the lack of collaboration between the local authority and the NHS. The prevalent view is that an EHCP is only really an education plan with some health care.
- 3.9 Indeed, the NHS has been criticised for a lack of engagement in the implementation of reforms at all levels. This has been particularly true around the development of EHCPs. This has been recognised as a “huge learning

curve for (NHS) colleagues” and health professionals have had to move from an activity based form of commissioning (for example how many times to give this therapy and has it made the child better, worse or indifferent) to a more outcome based form of commissioning in other words what activity are we trying to ensure that the child can now do.²⁷

- 3.10 Recent joint Ofsted and Care Quality Commission (CQC) SEND local area reviews confirm the picture that local authorities and the NHS are struggling to work together. In a third of the nine London local authorities Ofsted and the Care Quality Commission inspected there are such significant concerns at the level of weakness in local area practice that a written statement of action has been required.
- 3.11 While it is important to recognise that these inspection reports do reflect much good practice there are a wide range of concerns raised in these inspections reports. Examples given include the variability in the quality of the EHCPs, a lack of engagement of CCGs with the preparation of the EHCPs or the provision of the proposed health care, and particularly worrying the lack of coherence and joint working between local area leaders, agencies and schools - which is leading to a high number of exclusions.
- 3.12 A key co-ordinating role should be played by a Designated Medical Officer (DMO) who is supposed to support the CCG in meeting “its statutory responsibilities for children and young people with SEN and disabilities, primarily by providing a point of contact for local partners”. However, this is a non-statutory role and in half of the boroughs inspected there was no DMO in post and in other boroughs there was lack of capacity or a failure to develop the role.
- 3.13 According to the NHS, a wider range of specialists are now being asked to be involved in the process who were not originally being asked to contribute, which has made collaboration more difficult. However, all new NHS contracts now contain key performance indicators for SEND which should improve the timeliness of responses.²⁸
- 3.14 One special school described how they had sought to break the impasse by using a matrix management mechanism to help create “a shared ethos” so that different partners would more readily align their working practices to contribute to a holistic view of what that child needed. So, for example, work to support a child’s leg movement was not just a clinical outcome but aligned to her need to be able to stand and to move unaided to the whiteboard. This is being achieved by working through a termly Health Management Board, which includes the Clinical Commissioning Group (CCG), providers, the school leadership team and Governors. As Tina Harvey, Head of Perseid school, noted “this is work in practice, but we are hopeful.”
- 3.15 While such local initiatives are to be warmly welcomed there may be more that can happen at a strategic level to galvanise partners to work more effectively together. We heard calls for a London-wide SEND network bringing

together London's strategic health managers and local authority SEND champions. The Deputy Mayor could play a convening role bringing together these partners to discuss progress with the implementation of EHCPs and the results of the local area reviews.

Recommendation 3

The Mayor should convene a pan-London SEND network to support the closer working of health, education and local authority leads to assess learning from the local area reviews and the transition of children and young people to EHCPs.

Addressing complaints

- 3.16 London has more tribunal appeals than most other parts of the country. The primary reasons for tribunals is against the content of a statement (or now an EHCP) and the refusal to assess a child for SEND by the local authority, which is well before an EHCP is issued.²⁹ Local authorities have a statutory duty to carry out an EHCP assessment if a child or young person may have a need, they do not have to have an official diagnosis of need. Some stakeholders feel that local authorities are setting a much higher bar to reduce the number of EHCP assessments they need to carry out and hence they are going to tribunal.³⁰
- 3.17 In 2015-16, London had 5.6 appeals per 10,000 school population, compared to an English average of 4.3. Within London, there is significant variation. Waltham Forest dealt with only 5 appeals for its 45,000 school population (1.1 per 10,000), while Westminster had 38 appeals for its 38,000 school population (12.1 per 10,000). Most tribunal cases (72 per cent) are settled before an official tribunal decision is made – either because the case is withdrawn or conceded. Of the appeals that go through to a tribunal decision, most (88 per cent) are lost by local authorities. It has been suggested that local authorities may need training on what their statutory duties are, as parents and schools report differences between them.³¹
- 3.18 The tribunal process is expensive and may not provide value for money for the local authority. From the perspective of the local authority, the costs avoided from successful mediation (i.e. where a Tribunal appeal and subsequent hearing are avoided) were estimated to be approximately £4,100 for a representative case. The analysis estimated the Tribunal costs associated with Tribunal hearings to be approximately £2,380. The direct and indirect costs incurred by parents were estimated to be approximately £6,300 in total. This suggests that the cost savings associated with the avoidance of a Tribunal appeal are in the region of £12,800 per case.³² According to one submission,

the cost of taking cases to tribunal could have paid for 157 newly qualified teachers.³³

- 3.19 The Government is piloting the inclusion of health and social care in the same tribunal process from April 2018. It is hoped that this will make the tribunal process simpler for the family and make responsibility for SEND provision more equitable between health, education and social care.

4. A focus on early years – access to support and early identification

- Early identification of a child's needs means that the appropriate level of support can be provided at the earliest opportunity.
- Some local authorities are focusing on early identification in their SEND strategies.
- Exemplary record keeping will benefit children who may have special needs but have not received a formal diagnosis.
- There is a need for a best practice template for roll-out across the early years sector.

- 4.1 Most pre-school children with low to moderate needs will be more likely identified with SEND during their attendance in an early-years setting. However, according to the submission from the Family and Childcare Trust (FC Trust) there are several factors that can make it more difficult for disabled children to access childcare and early education; there may be a lack of suitable childcare available in the local area; families may face higher costs for paid childcare, outside of their free entitlement; and childcare settings may struggle to make the necessary adjustments to meet children's additional needs.
- 4.2 In London, children with SEND are more likely to attend the maintained sector (often school based) than their peers in other parts of the country. For the FC Trust "the overrepresentation in the maintained sector may be due to children with disabilities struggling to access private, voluntary and independent (PVI) providers." The lack of capacity within the PVI sector may be also be due to a lack of support from local authority early years' service, particularly through qualified SENCOs, "driven in part by local authority funding pressures". As we heard from one Early Years SEND adviser "the Private, Voluntary and Independent (PVI) EY sector is one which the Government and LA's absolutely rely on in order to fulfil their statutory duties re childcare and SEND but the dedicated practitioners in this sector...are not properly recognised, appreciated and sadly, now supported."
- 4.3 Without additional capacity within the PVI sector there is, according to the FC Trust, "a dependence on a small number of maintained settings, which are often overstretched and cannot offer a full 15-hours place to all eligible children with SEND".³⁴
- 4.4 In April 2017, a new funding system was introduced for early education, including the Disability Access Fund (DAF) which is a lump sum that all providers caring for a child eligible for Disability Living Allowance (DLA) receives. However, the process for applying for DLA can be complicated and parents often require someone to help them complete the form and support them through the process. Even when they do apply for the allowance this can take a long time to arrive and "it may come too late for the setting to apply for DAF because the child may have moved onto school by that time."³⁵
- 4.5 The Government also introduced a responsibility on all local authorities to set up their own Inclusion Fund to help them work with providers to address the needs of individual children with SEND. However, as we heard the success rate for settings securing the top-up funding from local authorities is highly variable. Early years providers are often under-represented on the local school forums that make the allocations and the focus "of the school forum meetings is usually on school matters [so what you get] is a postcode lottery and therefore results are variable".³⁶
- 4.6 This could make a significant difference in improving access to early years education and the GLA may be able to support local authorities in sharing best practice in how to help these new funding streams achieve their potential by

capturing any learning through their Early Year Hubs and disseminating across education networks.

The need for early identification

“Early identification and intervention are key to ensuring children and their parents or carers receive appropriate support.”

- 4.7 Early identification and intervention are key to ensuring children and their parents/carers receive appropriate support regardless of whether the child or young person has low, medium or high needs. As the Government’s own Code of Practice notes, “from birth to two years of age identification of children who need some level of SEND is likely to come from a health professional working alongside parents and carers. Children with more complex developmental and sensory needs may be identified at birth.”
- 4.8 Identifying a child or young person’s needs means that they can access services and parents or carers can receive the most appropriate support as soon as possible.³⁷ According to some written submissions we received, schools, especially in primary, are doing a large amount of support for children without official diagnosis.³⁸ However, without the official diagnosis to trigger additional levels of resource some children will not necessarily receive the right levels support for extended periods, which may have negative consequences on their educational outcomes. For example, one parent described how their child waited more than seven years for a formal diagnosis due to long waiting lists. They also described the lack of funding or support available from the school during this period.³⁹
- 4.9 Some local authorities are focussing on early identification in their SEND strategies.⁴⁰ For example, the London Borough of Enfield’s three main objectives in their SEND strategy are to identify, assess and intervene early where children and young people have SEND.⁴¹ However, continued funding pressures within local authorities means that some early years posts have been cut and expertise lost – making it harder to support schools, families and children.⁴²
- 4.10 Exemplary record keeping will benefit children who may have SEND but have not yet received a formal diagnosis. The Mayor has recently announced plans for at least three new Early Years Hubs across London. These hubs will bring together schools, nurseries and childcare providers to increase take up of childcare for disadvantaged families.⁴³ These hubs provide an excellent opportunity to make sure data collection for early years can paint an accurate picture of a child’s development, so any needs can be picked up as soon as possible.
- 4.11 A best practice template should be created to collect the following information:
- History of the child’s past medical record and any involvement with therapists.
 - Parental attitude to SEND.

- The level of functioning including self-care and fine and gross motor skills, sensory and physical abilities, behaviour and emotion assessment.
- Interventions in place and required support.
- Any history of trauma that might be having an impact on development.

4.12 With this information the primary school can match the child with the appropriate teacher and learning support assistant (if they have one) and staff reception appropriately. The primary school will also be better able to weigh up all the needs of the intake to decide (if they have an EHCP) whether they will be capable of meeting their needs and those of the other children in the year group simultaneously.⁴⁴

Recommendation 4

The Mayor should support a trial in his Early Year Hubs to create a best practice template which uses the Early Years Foundation Stage (EYFS) profile to evidence any concerns about a child's knowledge, understanding and abilities. Done in a clear and transparent way this document can transfer to the child's primary school placement in advance of the child actually starting at the school to ensure that the primary school is ready and able to welcome the child on day one.

5. Support in the classroom – Better teacher training and more help for SENCOs

- Special Educational Needs Coordinators (SENCOs) are under huge pressure – there is a growing responsibility with diminished resources.
- Some schools struggle to offer adequate professional development opportunities for their SENCOs and find it hard to provide quality training for other teachers who will be supporting children with SEND.
- There are a number of Mayor-led support programmes which should be expanded to boost teacher training for children with SEND.
- We call for the Mayor to support a London centre for excellence for SENCOs.

Support in the classroom

“83 per cent of teachers thought children and young people with SEND were not getting the support they needed.”

- 5.1 Government data indicates that the largest proportion of children who have need for SEND support are aged between seven and ten;⁴⁵ nationally around 18 per cent of children in school years three to six are on SEN support, although for many schools those figures are much higher. Of the children with SEND only around five per cent will be on statements or EHCPs and hence able to access additional financial and other resources. This shows the enormous pressures that primary schools are under to provide high quality support to children who will have a wide variety of needs, but do not receive additional government support.
- 5.2 Despite a renewed focus on quality first teaching (QFT) for all children with SEND, some teaching staff do not have enough expertise, training or confidence to deal with the variety of SEND that their students may have. According to a survey by the Association of Teachers and Lecturers (ATL), only 63 per cent of teachers were confident that they understood the definition of QFT.⁴⁶ The survey also found that 83 per cent of teachers thought children and young people with SEND were not getting the support they needed.
- 5.3 We have repeatedly heard that Initial Teacher Training (ITT) does not cover SEND adequately. In 2015, the Carter Review identified SEND as an area of weakness in ITT. The Government has recognised this and has commissioned an independent working group to review core content for ITT.⁴⁷ The Teaching Schools Council is also calling for all ITT to do “primary with SEND” instead of having a “small period of time with special needs”.⁴⁸ However, ongoing professional development may be a more efficient route to improve a higher number of teachers’ abilities and confidence to provide QFT in addition to improved initial teacher training.⁴⁹
- 5.4 School leaders play a key role in the ongoing development and support of staff but the quality of support for staff is variable. According to the ATL, teachers felt that a combination of reduced budgets, staff shortages and rapid policy change have undermined some school leaders’ abilities to adequately support teaching staff.⁵⁰
- 5.5 There are training and leadership resources available for teachers but they need to be promoted and shared more widely. London Leadership Strategy’s “SEND Review Guide” helps schools self-assess their SEND provision and offers advice and support from a network of leaders in this field to help the school improve their SEND provision proactively.⁵¹
- 5.6 Funding issues may have negative implications on the ability of some schools to offer adequate development opportunities for staff. Funding cuts are a real concern to Simon Knight, Director for Special Educational Needs and Disabilities, London Leadership Strategy, who told the panel he had “grave concerns that the reduction of funding that schools have available to them is leading to a significant reduction in the accessibility of post-qualification training”.

- 5.7 These funding issues are affecting schools across London and the South-east. According to St Mary's Catholic Primary School, Tilbury, they do not have enough skilled staff, or the capacity to employ more.⁵² Another primary school, Cirrus Primary Academy Trust, Sutton, also described how cuts to funding meant that they had to develop their own expertise.⁵³ It will be crucial to build on the work already done by Teaching Schools such as Swiss Cottage to ensure that their experience and best practice is shared with other teachers and support staff in schools across London.

Swiss Cottage School, Development and Research Centre

Swiss Cottage School, Development and Research Centre is a state-maintained special needs school in the London Borough of Camden. The school is a complex needs designated specialist provision. The school has 246 pupils aged two to 19, and every pupil has a Statement or Education, Health and Care Plan.

Swiss Cottage School is also a Teaching School. The school has taken part in many research and innovation initiatives. The school runs a professional development course for trainee teachers and provides one week placement courses at the school. The Swiss Cottage Teaching School Alliance is a partnership of schools and organisations across London that have come together to share skills, experience, talent and capacity to help improve provision and outcomes for young people across London.

Swiss Cottage School is a recognised provider of the 'SEND Leaders' Programme.⁵⁴ The aim of the programme is to ensure that all children and young people with SEND are visible in their school, supported in their learning and included in decisions about the teaching they receive. The programme supports schools to raise standards for children with SEND through a bespoke package of support, which includes a SEND Review. The SEND Leader audits a school's SEND provision, challenging practices and provisions. The Leader provides guidance for the schools on their areas of priority, recommending examples of good practice, with the aim to transfer knowledge and experience to senior practitioners in the school so the schools can continue to review and evaluate SEND provision.

The vital work of SENCOs

- 5.8 The 2014 reforms expanded the remit of SENCOs, but SENCOs are under huge pressure to fulfil their new additional duties. According to Anita Devi, a SEND specialist and educational consultant, there is a growing responsibility for SENCOs with diminished resources.⁵⁵ This means that they may not be able to carry out all their SENCO responsibilities as effectively as they would like and may not be able to fulfil their strategic duties as set out in the SEND Code of

Practice. According to NASUWT, in some schools, SENCOs have a full teaching timetable and are expected to carry out their SEND responsibilities in addition to their teaching commitments.⁵⁶ SENCOs may also not be in senior leadership positions, especially in primary schools.⁵⁷ This means that many SENCOs may not have a direct say in how the SEND delegated funding is used.⁵⁸

- 5.9 Another consequence of the growing number of children and young people with SEND is the growing need for qualified teachers and in particular SENCOs to support them. According to the National Association of Head Teachers (NAHT), in 2016 23 per cent of schools surveyed were unable to recruit for SENCO vacancies.⁵⁹ And we have also received testimony that there are not enough area SENCOs.⁶⁰
- 5.10 The Mayor supports a range of programmes for teachers and school leaders. The Schools for Success programme is a free professional development programme for London's teachers. Getting Ahead London supports senior leaders to become future headteachers. This programme was set up to tackle issues around recruitment of leaders in London's schools. These programmes should be expanded to improve teacher training to support children and young people with SEND and to support the recruitment and retention of SENCOs.
- 5.11 Our objective is to try to ensure that there is a place in every good or outstanding local school for children and young people with SEND, with access to the necessary funding to support their teaching and learning. Crucially this means quality training for teachers and teaching assistants. Barking and Dagenham, which has one of the fastest growing child populations, of which at least 20 per cent will require SEND provision and support, called for the Mayor to "ensure proper London-wide training and support for teaching assistants and specialist teachers."⁶¹ We heard calls for the Mayor to support the development of a centre for excellence and Beyond Autism suggested that there needs to be a training centre for SENCOs in London. Whole School SEND also called for the "development of a centrally based SEND expertise through the GLA offered on a cost neutral basis."⁶²
- 5.12 We want the Mayor to assess the viability of supporting such an initiative. Such a centre could be based in a building that was part of the GLA family's estate (a former fire or police station for example), or by bidding for funding from the LEAP's Skills for Londoners capital fund, with the teaching service provided by London's special schools. It would serve more than the sole purpose of training. It would be a resource for exchange of skills and ideas and the reinforcement of expertise and status.

Recommendation 5

The Mayor should assess the viability of supporting the establishment of a dedicated centre for training SENDCOs. He should do this by convening a high-level meeting with London's teaching schools that specialise in providing SEND teaching and learning to assess demand and to discuss viability.

Recognising the progress of children with SEND

- 5.13 We have, on a number of occasions, heard that some schools and academies may not be as welcoming towards pupils with SEND as other schools. Some schools, it is claimed, find ways to put off parents from sending their children to those schools even though they may be close to where they live and be a choice school for those parents. The recalcitrant schools may claim that they are unable to make the reasonable adjustments necessary for the child with SEND and word spreads through the SEND parent/carer network that those schools are not open and inclusive; and so why would anyone want to send their child there?
- 5.14 Not accepting SEND pupils when it is an appropriate local choice is an unacceptable practice and may indeed be illegal. It will, furthermore, put increased pressure on those schools that do accept SEND pupils and specialist/out-of-borough provision. One school described how a reputation of inclusion meant that they receive a higher proportion of children with SEND which leads to an unfair distribution across the borough.⁶³ If mainstream schools are not accepting children with SEND despite theoretically having the appropriate provision, then commissioners will have to commission more expensive specialist services to ensure that they are able to provide access to SEND provision for the child.
- 5.15 It has been suggested that one reason why schools are less likely to accept a child with SEND is due to the perception of poor performance of children with SEND.⁶⁴ The Government's focus on progress-8 as a measure of a school's success may increase this pressure as children with SEND sometimes make more uneven progress than children without SEND.
- 5.16 However, according to David Bartram, Director of SEND, Future Academies, we need to demystify "the idea that if you are a school that is inclusive and welcomes a number of children with SEN that in some way your results are going to be harmed."⁶⁵ Indeed many of London's highest-performing schools are schools with large numbers of children with SEN, because at the heart of outstanding provision is having high expectations for your children and young people and matching that with high quality leadership and teaching.⁶⁶
- 5.17 Nevertheless, the heavy emphasis on academic achievement as the success measure is only effective if the way the person is tested is flexible.⁶⁷ The

current system is seen by some commentators such as the Alliance for Inclusive Education as inflexible and based only linear progression and final examinations; while it should be able to capture the many different way that children with SEND may learn or progress.

Recommendation 6

As part of his next Education report the Mayor should profile schools who are able to demonstrate excellent progress for pupils with SEND and how their performance can be differentiated within the overall school's performance data. This could then be used as a template for all schools who are concerned that the high number of SEND pupils in their year groups might be affecting their average scores.

6. Planning for adulthood and independent living

- There is a lack of job opportunities, training routes and work experience for young people with SEND.
- The Mayor is well placed to make sure all support and training opportunities are open and accessible, including to those young people with SEND.
- Supported internships are a vital pathway for a young person with SEND to transition into the world of work and independent living.
- Given the Mayor's business networks there is an opportunity for the Mayor to showcase those organisations that champion supported internships and to encourage more firms to become "willing employers".

Planning for adulthood and independent living

“Pathways to further education, training and employment do not currently meet the aspirations of young people with SEND and their parents or carers.”

- 6.1 Pathways to further education, training and employment do not currently meet the aspirations of young people with SEND and their parents or carers. As we heard from Simon Knight, Director of Whole School SEND, there is a significant gap between what children and young people with SEND achieve in their education settings and their ability to be a valued part of the work force.⁶⁸ This viewpoint was echoed by many parents and carers we heard from who felt scared about what would happen to their children when formal education ended.⁶⁹
- 6.2 Currently, there are a lack of job opportunities, training routes and work experience for young people with SEND.⁷⁰ Parents we spoke to at Ambitious College described how important it was that the professionals their young people came into contact with valued them as possible future employees. According to some local authorities, cuts to employment services such as Connexions means that it is increasingly difficult to support young people into employment.⁷¹
- “The statistics associated with children with SEND are horrific. Now, if we look at those that have got the more complex needs, 94 per cent of special schools in this country are good or outstanding. Only 6 per cent of people with a learning disability here are in paid employment, so we have got a real challenge there.”⁷²
- 6.3 And yet, teaching professionals from colleges such as Ambitious can identify the kinds of tasks (perhaps very repetitive tasks such as sorting cutlery) others might want to avoid but that their young person could do well. Working with an employment specialist it is possible to “carve up a job” so that the young person is able to contribute valued work for an employer.

Ambitious College in Haringey

Ambitious College is London’s only specialist further education provision for learners with complex autism, which provides specialist support to enable young people with autism to access further education in their local community. The aim of the college is to enable its learners to gain the knowledge, skills and confidence they need to make a successful transition to adulthood and to live, work and contribute as part of their community. Alongside a tailored programme of learning and skill development, the college offers opportunities to learn in the community through a range of partnerships with local employers, services and mainstream college partners. The college also provides support to young people in other local colleges who have special needs and are navigating their way through a mainstream college experience.

- 6.4 The Mayor is well placed to make sure all support and training opportunities are open and accessible, including to those young people with SEND. Preparing children and young people with SEND for adulthood will be crucial in reducing the significant gap in attainment after formal education ends. The Mayor already supports young Londoners into work through apprenticeships as well as programmes such as Skills for Londoners and London Ambitions.
- 6.5 However, the Mayor's commitment to support the development of a pan-London careers advice, information and guidance service needs to recognise how planning for a pathway into work for a young person with SEND must start in year nine with the development of a detailed vocational profile identifying the skills and abilities of the young person and capturing their work/life aspirations.
- 6.6 The Mayor recognises the lack of opportunities for young people with SEND. He is currently reviewing the post-16 SEND provision in London. Outputs of the SEND Review will help to inform the development of a post-16 London Skills and Education Strategy ahead of devolution of the Adult Education Budget (AEB) to the Mayor from 2019-20 (subject to readiness conditions).⁷³ The devolution of the AEB to London in 2019-20 is a key opportunity to improve the pathways for adulthood for young people with SEND.

“In preparation for devolution of the AEB, City Hall will work with London's special educational need and disability (SEND) experts to undertake a strategic, pan-London review of SEND education need and provision. This will provide an up-to-date picture of demand and supply, and support the development of a more ambitious approach to delivering services to young people and adults with SEND. Furthermore, the Mayor will promote and support training provision that meets the needs of disabled people, in line with the findings of the SEND review.”⁷⁴

Recommendation 7

In response to this report we want the Mayor, in line with the commitment in his skills strategy, to set out how he intends to utilise the devolution of the Adult Education Budget to support training provision for young people with SEND across the FE sector and including independent and charity run colleges.

Supported internships – a vital first step into employment

- 6.7 Supported internships are a vital pathway for a young person with SEND to transition into the world of work and independent living. Supported internships are a structured study programme based primarily at an employer. They may be paid or unpaid but must last for a minimum of six months and lead to consideration of employment should an opening be available. They should ultimately enable young people aged 16-24 with a statement of SEN, or an EHCP to achieve sustainable paid employment by equipping them with the skills they need for work, through active learning in the workplace. In recognition of the importance of these schemes and as part of its recent announcements of additional support for children and young people with SEND, the Government committed to providing, across the country, an additional £9.7m for supported internships.⁷⁵ While these funds should help with training of the job coaches, those who support young people with SEND into work, London needs more “willing employers” in sectors such as hospitality, catering, gardening, and administration. Given the Mayor’s business networks there is an opportunity for the Mayor to showcase those organisations such as the Hospital sector who provide these opportunities and to press other organisations to rise to the challenge.

Recommendation 8

- The Mayor should lead an audit of possible suitable posts within the GLA and functional bodies to identify a number of supported internship opportunities.
- Using his Business networks, the Mayor should encourage more large organisations to come forward as “willing employers” able and willing to commit to setting up supported internships.

- 6.8 Pathways to employment must necessarily be accompanied by support for housing and transitions to non-statutory support services where this is required. Ofsted has found that transitions to adult services in health and social care are still variable.⁷⁶ One explanation for this is that the transition between children and adult social care is problematic as the threshold to receive support is much higher than that required in an EHCP.⁷⁷ This is of considerable concern to the parents and carers of young people who are reaching that cut-off point who fear a complete re-negotiation of existing levels of support that may be working effectively and a possible loss or downgrading of levels of support – this can’t be right. Access to suitable accommodation must be available to ensure positive transitions to adulthood and, where desired, to independent living. However, as local authorities

highlight there is a significant challenge to support independence given the limited supply of supported housing available and on-going concerns about levels of financial payments available through Universal Credit and Housing benefit.⁷⁸

- 6.9 When the London Assembly's Housing Committee looked in to this situation it found that there is no pan-London data on the likely future need for supported housing. Furthermore, it found that current incentives to develop and operate supported housing are limited, and while the Mayor has a dedicated fund this is not being efficiently utilised.⁷⁹

7. Outside the school gates

- Many services that are accessed on a day-to-day basis, such as leisure activities, shopping and transport, are not currently easily accessible for children and young people with SEND.
- There are two particular areas where the Mayor could make a difference; out of school hours play areas and on the transport system.
- If the Mayor is serious about making London a truly inclusive city then there should be a showpiece state of the art adventure playground for children and young people with SEND.
- Training for bus drivers so they better understand the needs of children and young people with SEND, complemented by adverts or announcements on the buses could help to create a more supportive environment on the public transport system.

“We have heard many calls for more universal services to be accessible to children and young people with SEND and their parents or carers.”

Outside the school gate

- 7.1 Many services that we all access on a day-to-day basis (leisure, shopping and transport) are not currently easily accessible for children and young people with SEND. We have heard many calls for more universal services to be accessible to children and young people with SEND and their parents/carers. Increasing the number of accessible services and play spaces would relieve pressure on highly specialised placements, prevent isolation of families and create a more inclusive environment which would begin to break down the barriers surrounding children and young people with SEND and their parents or carers.⁸⁰ There are two particular areas where the Mayor could make a difference; out of school hours play areas and on the transport system.

A place to play

- 7.2 At our parents and carers forum meeting at the Swiss Cottage School we heard how, in general, local parks are not suitable or accessible to their children and how soft play areas often have an age limit so older children cannot use them. Some parents told us how they even had to take their older children to parks at night so they can use the spaces without stigma.
- 7.3 If the Mayor is serious about making London a truly inclusive city then we should have a showpiece state of the art adventure playground for children and young people with SEND to use. This will require a significant capital investment followed by running and maintenance costs. The Thames Valley Adventure Playground is the very best example of a specialist playground,⁸¹ and starting from complete scratch it would cost about £2 million to include structures, inside and out, an accessible changing place, and sensory room. An alliance between the Royal Parks, (what better venue for a state of the art SEND appropriate playground could there be?), the Mayor’s Fund, and London’s special schools could create a forum for discussion as to how such a project could be realised, perhaps drawing on London’s great philanthropic tradition as a start. There are many charities who might be interested in supporting such an investment designed to both break down barriers and to encourage sporting activity; for example, the London Marathon Trust supports capital projects in London that will increase physical activity levels and the Royal Foundation is supportive of projects for young people that seek to change mindsets and make a lasting difference on issues that matter to society. There will be others too.
- 7.4 The other option would be to allocate a specific amount of money to each local authority to use to ensure that they create or add accessible play equipment to current parks and mainstream playgrounds. A really ambitious scheme would see the creation of a special needs play fund that would seek to provide three years’ worth of funding for Inclusive Play Staff to support these sites, this could also include any local people who are training to work in childcare thereby skilling up people in terms of inclusion for their future

careers and linking in colleges. Bringing together all London’s Local Parent Forums in this project would bring the necessary local knowledge and volunteering engagement that will be needed to get such a project off the ground.

- 7.5 Wandsworth Council offers children and young people up to the age of 18 who have a disability or a special need a “Wand” card which entitles them concessions on a variety of activities across the borough. As the Council has worked creatively with the different providers based in Battersea Park, such as the zoo and London recumbents (bike hire), to make it a welcoming place for children and young people with SEND there is momentum to build on there and a further extension of the playground to incorporate equipment specifically for children and young people with SEND could be a real possibility.

Recommendation 9

The Mayor should convene a working group to assess the viability of supporting the creation of a showcase specialist playground and ways of adding accessible play equipment to local parks.

Getting out and about

- 7.6 Transport for London (TfL) has a duty of care for all travellers, including the most vulnerable. Alongside supporting vulnerable travellers to access the transport system and to provide the necessary information and guidance they might need to successfully navigate the system, TfL also supports and promotes a wide variety of specialist programmes to support young people and disabled travellers to use the system successfully. Schemes such as their youth ambassador schemes which works with a number of special schools to increase active travel and improve the customer experience and travel mentors to help people with disabilities gain confidence in using the transport system, are seen as best practice across the industry. TfL also encourages additional staff training such as their “Big Red Book”, a bus drivers’ handbook, which provides information on how best to support disabled customers, including those with less visible conditions. And TfL encourages use of travel tools such the Travel Support Card, which helps customers communicate with staff, and the Mobility Aid Recognition Scheme. TfL also hosts regular accessibility garage forums where disabled people can speak directly to bus drivers and garage staff about their experiences using the network. This work is absolutely vital and we celebrate the contribution of these kinds of initiatives to making London truly inclusive.
- 7.7 As the numbers of people with SEND is set to grow and given the Mayor’s commitments to the ideal of a truly inclusive city, it might now be time to

move from a voluntary process of engagement to something more formal. It might be possible to develop and deliver more comprehensive, mandatory training sessions for bus drivers to recognise and feel comfortable transporting children and young people with SEND. This could be face-to-face, for example meeting those children and young people with SEND who regularly travel on their bus. This training could be further supported by adverts or announcements on the buses which could also help to communicate with all travelling Londoners that sometimes a child or young person with SEND might be getting distressed and that a tantrum might not always be bad behaviour.

Recommendation 10

The Mayor should fund a number of special Bus Days to bring together children and young people with SEND and their parents and carers with bus drivers at a bus depot whose buses are used on a regular basis by those children and young people to “do the school run”. A pilot scheme of adverts and messages should be trialled to begin to challenge pre-conceived ideas about children and young people with SEND.

A SEND Champion in City Hall

- 7.8 Parents and carers of children and young people with SEND simply want them to be respected and valued by society. They want the same opportunities to be the best they can be as do all parents and carers. They want to know that their children will grow into adulthood safe in society, making a contribution and happy in their lives. Some parents struggle to come to terms with the realisation that their child has special needs and to face up to the enormous effort (physical, mental, emotional and financial) that will be required to support that child into adulthood and beyond. As we heard from one parent, “having a disabled child comes with other effects, like emotional effects, social effects and physical effects. I would be most grateful if parents would be appreciated for the work that they are doing, and raise awareness on how professionals can support parents in their caring role.”
- 7.9 This process of opening up of our awareness, understanding of and appreciation of the challenges faced by children and young people with SEND and their families and support networks is something we want to see the Mayor take a lead on.
- 7.10 We also heard from Joyce Brako-Amofo, London Representative for the National Network of Parent Carer Forums, that there is “a need to raise awareness about the effect of, or the perception of, disability among our ethnic minority. Many of our parent carers from ethnic minority backgrounds struggle to even accept the disability of their children due to being isolated

from their families. The schools and the doctors need to know about this and maybe have a way of working with parents. I have evidence of marriages being broken down because the wife has accepted it and the husband is struggling with it. So, raising awareness among ethnic minorities to let them know that we need to look beyond disability and look at what is in there and dispel the myth, that once you have a disabled child there is nothing wrong with this.” Again, this is something we want to see the Mayor lead on.

- 7.11 By acting on our recommendations the Mayor can begin to influence the quality and type of infrastructure that is available for supporting these children and young people. But we want him to do more than that we want him to appoint a SEND champion, someone who can promote the views of children and young people with SEND and their parents and carers into the heart of London government’s decision-making process.
- 7.12 The Mayor has already appointed Claire Waxman as Victims Commissioner directly to ensure that the victims’ voice plays a part in shaping strategies, policies, and services that directly impact the victims’ journey. We want a SEND Champion to do exactly that for children and young people with SEND to ensure that their voices, and that of their families and carers, play a part in shaping the services they use and they have access to the information and resources they need to have fulfilling lives and to be the best they can be.
- 7.13 Our report is their road map. Working with the many partners and relevant organisations they will take up the challenge to ensure that all our children and young people with SEND are valued and nurtured by our great city.

Recommendation 11

The Mayor should appoint a SEND Champion to ensure that the interests of our children and young people with SEND, their parents and carers, play a part in shaping the strategies, policies and services that directly impact on their journey through school and into adulthood.

Our approach

The Education Panel has held a series of meetings which have helped inform this report. These have included:

5 September 2017 meeting to establish the challenges and identify what role the Mayor can play in helping to provide adequate SEND provision to London's growing school age population. Guests included:

- Heather Tarbuck – Parent Carer Participation Advisor, Contact;
- Anita Devi – SEND specialist and educational consultant;
- Anne Lyons – President, National Association of Head Teachers;
- David Bartram OBE – Director for SEND, Future Academies;
- Simon Knight – Director for SEND, London Leadership Strategy; and
- Joyce Brako-Amofo – London Representative for the National Network of Parent Carer Forums

29 November 2017 meeting to establish the challenges and identify what role the Mayor can play in helping to provide adequate SEND provision to London's growing school age population. Guests included:

- Joanne McCartney – Deputy Mayor for Education and Childcare, GLA
- Cllr Peter John – Executive Member for business, skills and Brexit, London Councils
- Yolande Burgess – Strategy Director, London Councils
- Helen Norris – London Regional Lead for SEND
- Gill Robinson – Vice-Chair, Teaching Schools Council
- Alison Markwell – Designated Clinical Officer for SEN and Disabilities, CWHHE, NHS

The Education Panel held a round table with representatives from Alliance for Inclusive Education, National Autistic Society, YoungMinds and IPSEA. The Panel also visited Swiss Cottage School, Eastlea Community School and Ambitious College. The Panel also received 59 written submissions from a range of organisations and members of the public.

References

¹ See comments from Joanne McCartney (Deputy Mayor for Education and Childcare) (p24 November meeting); <https://www.london.gov.uk/what-we-do/education-and-youth>

²https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/652689/SFR55_2017_text.pdf

³ <https://www.ditchthelabel.org/wp-content/uploads/2017/07/The-Annual-Bullying-Survey-2017-1.pdf>

⁴ The Education Funding Agency (EFA) provides funding for maintained schools and academies. This is made up by the dedicated schools grant, which is formed of three elements: the schools block, the high needs block and the early years block. These blocks are currently not ringfenced.

⁵ Written submission from London Borough of Barking and Dagenham

⁶ London Councils briefing, September 2017

⁷ Written submission

⁸ [Department for Education, 2017, The national funding formula for schools and high needs – Executive summary](#)

⁹ [Department for Education, 2017, The national funding formula for schools and high needs – Executive summary](#)

¹⁰ Written submission from NASUWT

¹¹ Written submission from London Councils

¹² Written submission from London Councils

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¹⁴ [Department for Education, 2018, Free schools: open schools and successful applications](#)

¹⁵ Including the Education Acts 1993 and 1996, the Disability and Discrimination Act 1995 and the Special Needs and Disability Act 2001

¹⁶ [Department for Education, 2014, Reforms for children with SEN and disabilities come into effect](#)

¹⁷ [Department for Education, 2014, Reforms for children with SEN and disabilities come into effect](#)

¹⁸ Heather Tarbuck, Contact, Education Panel meeting, September 2017

¹⁹ Written submission from Gundhild Lenz-Mulligan

²⁰ Written submission from Perseid School

²¹ The National Autistic Society

²² Written submission from M Bowyer

²³ [Ofsted, 2017, The Annual Report of Her Majesty's Chief Inspector of Education, Children's Services and Skills 2016/17](#)

²⁴ Written submission from London Borough of Tower Hamlets

²⁵ Written submission from London Borough of Enfield

²⁶ Written submission from London Borough of Enfield

²⁷ Alison Markwell, NHS, Education Panel meeting, November 2017

²⁸ Op. Cit.

²⁹ [Department for Education, 2017, Review of arrangements for disagreement resolution \(SEND\)](#)

³⁰ Private roundtable meeting, October 2017

³¹ Written submission from IPSEA

- ³² [Department for Education, 2017, Review of arrangements for disagreement resolution \(SEND\)](#)
- ³³ Written submission from Ambitious about Autism
- ³⁴ Written submission from FC Trust
- ³⁵ Written submission from Pre-school Learning Alliance
- ³⁶ Written submission from Pre-school Learning Alliance
- ³⁷ Site visit to Swiss Cottage School, November 2017
- ³⁸ Written submission from Hampton Wick Infant & Nursery School
- ³⁹ Written submission from Laura Webb
- ⁴⁰ Written submission from London Borough of Barking and Dagenham and written submission from London Borough of Enfield
- ⁴¹ Written submission from London Borough of Enfield
- ⁴² Written submission from London Borough of Bexley
- ⁴³ [GLA, 2017, Mayor unveils plans for London's first Early Years Hubs](#)
- ⁴⁴ Written submission from Anna Waddell – Fox Federation
- ⁴⁵ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/633031/SFR37_2017_Main_Text.pdf
- ⁴⁶ [ATL, Labour Party SEND review](#)
- ⁴⁷ [Department for Education, 2016, Initial teacher training: government response to Carter review](#)
- ⁴⁸ Gill Robinson, Vice-Chair, Teaching Schools Council, Education Panel meeting, November 2017
- ⁴⁹ [Driver Youth Trust, 2015, Joining the dots: Have recent reforms worked for those with SEND?](#)
- ⁵⁰ [ATL, Labour Party SEND review](#)

- ⁵¹ Available here: <http://londonleadershipstrategy.com/content/send-review-guide>
- ⁵² Written submission from St Mary's Catholic Primary School
- ⁵³ Written submission from Cirrus Primary Academy Trust
- ⁵⁴ [Swiss Cottage School TSA, 2018, SEN Review](#)
- ⁵⁵ Anita Devi, SEND Consultant, Education Panel meeting, September 2017
- ⁵⁶ Written submission from NASUWT
- ⁵⁷ Anita Devi, SEND Consultant, Education Panel meeting, September 2017
- ⁵⁸ Written submission from London Borough of Bexley
- ⁵⁹ [Schools Week, 2016, Heads report 'bleak picture' and no improvement in teacher recruitment for third year](#)
- ⁶⁰ Written submission from Family and Childcare Trust
- ⁶¹ Written submission from London Borough of Barking and Dagenham
- ⁶² Written submission from Whole School SEND
- ⁶³ Written submission from Tolworth School
- ⁶⁴ David Bartram, Director of SEND, Future Academies, Education Panel meeting, September 2017
- ⁶⁵ David Bartram, Director of SEND, Future Academies, Education Panel meeting, September 2017
- ⁶⁶ David Bartram, Director of SEND, Future Academies, Education Panel meeting, September 2017
- ⁶⁷ Private roundtable meeting, October 2017
- ⁶⁸ Simon Knight, Director of Whole School SEND, London Leadership Strategy, Education Panel meeting, September 2017

⁶⁹ Site visit to Swiss Cottage School, November 2017

⁷⁰ Written submission from London Borough of Barking and Dagenham and
Written submission from London Borough of Tower Hamlets

⁷¹ Written submission from London Borough of Redbridge

⁷² Simon Knight, Director of Whole School SEND, London Leadership
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⁷³ [GLA, 2017, Review of Special Educational Needs and Disabilities](#)

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strategy for London](#)

⁷⁵ [https://www.base-uk.org/news/%C2%A397m-announced-supported-
internships](https://www.base-uk.org/news/%C2%A397m-announced-supported-internships)

⁷⁶ Written submission from Ofsted

⁷⁷ Written submission from London Borough of Redbridge

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⁷⁹ Supported Housing in the Balance?, London Assembly, November 2016

⁸⁰ Yolande Burgess, Strategy Director, London Councils, Education Panel
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Other formats and languages

If you, or someone you know, needs a copy of this report in large print or braille, or a copy of the summary and main findings in another language, then please call us on: 020 7983 4100 or email: assembly.translations@london.gov.uk.

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Hindi

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Arabic

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Gujarati

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