Special needs education in London

Overview
Providing quality Special Educational Needs and Disability (SEND) support is becoming increasingly challenging in London. Despite major reform in 2014, the key tension between rising demand for support and adequate resources remains.

With school and local authority funding coming under increased pressure, how will London cope with the expected rise in demand over the next decade, and the changing level of complexity of need in SEND pupils?

This project will focus on access, and how to expand SEND provision (teaching support and places), as this fits in with the GLA’s wider work to increase the overall number of school places in London.

Background
The delivery of special needs education in London
All mainstream schools have a duty to use their “best endeavours” to provide support to children and young people with a Special Educational Need or Disability (SEND). Multiple agencies and stakeholders have specific, legal duties for SEND provision:

- **Department for Education (DfE)** funds SEND provision, providing grants through the Schools Block (for general SEND provision) and the High Needs Block (i.e. top up funding for a minority of pupils who need provision over and above educational support that is normally available).
- **Local Authorities** have a legal duty to identify and assess the special educational needs of children and young people for whom they are responsible.
- **Schools** identify and support SEND pupils. Children may be supported from within the school’s own resources, or through a more specialised Education and Health Care Plan (EHCP).

A child is considered to have a special education need if they have

- a significantly greater difficulty in learning than the majority of 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.

Depending on the need of the child, there are several avenues through which schools and local authorities can provide a SEND placement. The first, and most popular, is to provide a place in a mainstream school, with additional teacher-led support (including possible one-to-one support) for those with less significant need. The second level is Additional Resource Provision (ARP) or Special Units, which are mostly based in schools but which provide more specialist support, either within classrooms or separate units within schools. The educational needs of pupils with more serious or complex needs are provided through Special Schools.

Academies are under the same duty to admit a child if they are named in an EHCP as any local authority school. If an academy does not wish to admit the child, the only option they have is to refer the admission directly to the Secretary of State. Since 2014, Further Education colleges are also under a duty to participate in SEND provision for students up to 25 years of age.
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Performance of SEND pupils

Attainment for pupils with a special educational need or disability is substantially lower than the general school population. At every level from early years to higher education, pupils with SEN perform between two and three times worse than the general school population. Fewer pupils with a special education need achieve level 3 qualifications, or attend higher or FE institutions. Nevertheless, pupils identified with special educational needs in London outperform pupils identified with special educational needs in other parts of the country at all stages of education.

Growth in numbers

According to DfE’s figures, in 2016, there were approximately 205,000 students with some degree of special education support in London, which represents 14.5 per cent of all students. While the overall numbers appear to reflect a decrease since 2012, when 232,000 pupils were assessed as having a special education need, comparisons with past years are difficult as in 2014, the Government introduced a major reform to the system, which included changing how various types of need were assessed. That, and delays among local authorities to re-assess students and move children previously assessed as SEND to the new system, means that it may be several years before numbers reflect the level of real need in London.

London Councils claims that there has been a rapid increase in demand for dedicated SEND places. This is a more specific measurement which counts more specialist provision. Between January 2011 and January 2016, the number of pupils educated in dedicated SEND places in London rose 23 per cent from 18,880 to 23,127, compared to a 10 per cent growth rate in the rest of England.

The majority of dedicated SEND places continue to be provided by dedicated special schools, but there has also been strong growth in in mainstream school provision. Between January 2011 and 2016, the number of places in ARPs and Special Units grew by approximately 30 per cent, while places in special schools increased by 19 per cent. Each of these figures is substantially higher than the English average.

Changing complexity

The nature of SEND need has also changed in this period. Since 2011, the number of pupils with Autistic Spectrum Disorder has increased by over 50 per cent, while the number of pupils with physical disabilities has decreased by a third. According to London Councils, “managing such changes is not straightforward and requires planning as well as adequate funding.”

Recent reforms of SEND provision

In September 2014, the Government introduced significant reforms to special education provision, including:

- 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 in a clear and transparent way so they can understand what is available.
- To undertake joint assessment, planning and commissioning of services between education, health and social care to ensure more streamlined and integrated support through a

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1 This may be due to mainstream schools improving their ability to meet the needs of physically disabled pupils.
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streamlined assessment process and single plan (EHC Plan) covering a child and young person from birth to age 25.

- To provide an entitlement for parents, families and carers and young people to have a personal budget to extend their choice and control over the education, health and social care services they receive.
- To ensure positive transitions at all key stages within a 0-25 age range, especially in preparing for adulthood. Providing greater powers for the Local Authority to continue services post 18 and introducing new protections for young people aged 16-25.

Barriers to providing adequate provision

**Funding**: levels of funding for SEND provision are widely seen as inadequate. The Government is currently introducing reforms to the High Needs funding block for special needs education – unlike the reforms to the general block funding, no schools are expected to lose High Needs funding. Nevertheless, in a recent school leaders survey[2] 70% of school leaders have raised concerns about budget cuts and 81% experienced diminished SEND support because of cuts to their local authority support.

**Places**: London currently faces substantial challenges in providing school places for a growing pupil population. According to the latest figures from the GLA, demand for primary school places is expected to grow by 60,000 by 2025, and by 105,000 in the secondary school sector. The current school capital funding system does not adequately capture the cost of providing SEND places in London, which leads to higher costs and larger burdens on local authorities.

**Specialist support**: London’s schools are finding it increasingly difficult to recruit and retain teachers, with specialist support for special needs pupils under additional threat, and to ensure adequate resources for continuous professional development.

**Assessments**: Parents and teacher unions have criticised local authorities for delays in re-assessing pupils following the 2014 reforms of SEND provision. According to the Association of Teachers and Lecturers, between January 2014 and January 2015, 200,000 pupils who were previously identified as SEND were not transferred from SEN Statements onto the new Education, Health and Care Plans (EHCPS).

**The transition from early years**: Nationally only 25% of local authorities reported having enough Early Years provision that can include disabled children. In 2016 the government announced a Disability Access Fund to address the lack of access to Early Years settings for families with disabled children and young people but as yet there is no assessment of how Early Years settings in Greater London can access the fund[3].

**Equalities**: the proportion of SEN pupils who are eligible for Free School Meals (FSM) is significantly higher than the total pupil population. There are more SEN pupils from a Black and minority ethnic background than SEN pupils from a White British background. This may be an

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indication that existing services are not meeting the range of culturally different needs of SEN children from Black and minority ethnic communities.

**Academies:** There is some anecdotal evidence that academies are less likely to take pupils who qualify for SEND provision, but do not have an EHCP. IPSEA (Independent Parental Special Education Advice) have claimed that “through our case work... many academies persistently fail to comply with their legal duties in relation to SEND in the same way as other schools do.”

**Role of the Mayor and the GLA**

The Mayor has not currently set out his priorities for education. However, his Deputy Mayor for Education and Childcare has told the Panel that the Mayor and GLA are looking to help support work which aims to increase attainment for marginalised communities. The Deputy Mayor for Social Integration, Social Mobility and Community Engagement has also stated that part of his role is looking at inequalities faced by disabled people in properly integrating with general society.

**Terms of reference**

The following terms of reference are suggested:

- To establish the challenges to providing access to SEND provision in London, including the specific capacity and funding issues facing the capital in the future.
- To identify what role the Mayor can play in helping to provide adequate SEND provision to London’s growing school age population.

**Methodology**

1. **Desk research.** There is some publicly available data for national and regional SEND provision, which outlines the level of identified need but some more may be needed. Key research questions are to:

   1. Establish the current scale and nature of SEND provision in London at early years, primary and secondary level
   2. The level of funding that local authorities receive from the DfE
   3. Review the available literature on the barriers to accessing SEND provision
   4. The changes introduced by the Government in 2014 and the effects this reform has had on SEND provision
   5. Identify any other models, either nationally or internationally, for SEND provision

   **Call for evidence** (from June) to Local authorities, Schools, Multi-Academy Trusts and nursery providers and to Parent groups (to get qualitative understanding of the impact on pupils and parents of SEND provision, focusing specifically on the Government’s 2014 reforms).

   **Site visits.**
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While the call for evidence focuses largely on mainstream schools, site visits could be used to look at capacity issues in more specialised intuitions and provision. These could include:

- A visit to a mainstream school and a mainstream school with a Special Unit
- A visit to a Special School

2. Committee meetings (September and November):

- The first meeting would examine the provision of SEND in London from parents and schools’ perspective with the aim of establishing the challenges that providers and parents are facing. It would also assess whether the Government’s 2014 reforms were effective in making the process better and easier to navigate.
- The second meeting would establish the role of local and regional government, including local authority, school forums and the GLA. It would seek to test potential recommendations with key decision-makers, including the GLA, London Councils, teachers’ representatives and local authorities.