

I CAN and RCSLT statement on five years of SEND reforms

Five years on, is the SEND system less adversarial for parents? For families of children with SLCN the answer is 'no'. Nine out of ten parents still have to fight for support.

September 2019 marks five years since the SEND reforms came into force in England, as part of the Children and Families Act 2014. I CAN and the Royal College of Speech and Language Therapists' (RCSLT) review of provision in England for children and young people with speech, language and communication needs (SLCN) - *Bercow: Ten Years On* (2018) - and its 1st Anniversary Update (2019) highlighted serious concerns that in this time support for children and young people with SLCN has not improved; in many areas it has worsened.

One of the aims of the Government in introducing the reforms was to make the system feel less adversarial for parents.¹ But new data we're releasing today shows that for parents and carers of children with SLCN this has not been achieved. Nine out of ten families surveyed report having to fight to get support for their child.²

This is further evidenced by statistics on the number of appeals to the SEND Tribunal; in 2018 there were 6,023 SEND Tribunal appeals registered, an increase of 47% since 2014.³ This is not in the best interest of professionals, parents and carers, or children and young people. It is also having a big impact on the public purse with resources being diverted away from the children and young people who need help, to costly tribunals.⁴

We strongly support the intentions of the reforms: to enable the participation of children and their parents in decision making, to improve early identification and intervention, and to increase collaboration between education, health and social care services.

However, good intentions are not enough. More than 1,800 days since the reforms came into effect, many children and young people with SLCN are not getting the support they need. Data from the same survey of parents and carers found that 80% of respondents felt their child did not get enough support, which impacted on their child's education (94%), their child's mental health (80%), their family life (86%) and their family finances (74%).

The number of children and young people affected is increasing; the latest statistics from the Department for Education show that SLCN is now the most common type of special educational need, with a year-on-year increase of 6%.⁵

We were delighted to receive a cross-government response to our *Bercow: Ten Years On – 1st Anniversary Update*, signed by Ministers in the Department for Education, the Department of Health and Social Care and the Ministry of Justice, reaffirming their joint commitment to supporting children and young people with SLCN.⁶ However, the Government itself acknowledged in that response, there is more still to do

We continue to call on the Prime Minister to develop a cross-governmental strategy for children and young people. This call to action has been supported by more than 60 organisations representing children's health and social care, education, justice, disability and poverty.⁷ The Children's Commissioner for England has similarly called on the Prime Minister to establish a cross-government committee for children.⁸

In addition, we are specifically calling on ministers in the Department for Education, the Department of Health and Social Care and the Ministry of Justice to implement the recommendations made in the *Bercow: Ten Years On – 1st Anniversary Update*, including to:

- Ensure that the SEND System Leadership Board, which will clarify and communicate the principles that should underpin SEND commissioning, has an explicit focus on SLCN;
- Develop an evidence-based integrated pathway for children and young people with SLCN aged 0-25;
- Ensure that the newly qualified teachers' Early Career Framework curricula and training materials include knowledge and understanding of how to support speech, language and communication and how to identify and support SLCN;
- Fund a national programme of training for education staff working with children and young people with SLCN;
- Ensure that practitioners who work with children and young people in settings with a known high prevalence of SLCN – including those excluded from school, in care, in the justice system and with mental health needs, are trained to recognise and respond appropriately to communication needs.

We remain committed to working with the Government and other partners to improve support for the 10% of children and young people who have long-term SLCN, their families and the professionals working with them.

References

¹ https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/198141/Support_and_Aspiration_Green-Paper-SEN.pdf

² A survey of 241 parents and carers of children and young people aged 2-25 conducted in February 2019. 86% of these children had SLCN, with 57% having an education, health and care plan, and 69% receiving support.

³ <https://www.gov.uk/government/statistics/tribunal-statistics-quarterly-january-to-march-2019>

⁴ <https://www.gov.uk/government/publications/send-disagreement-resolution-arrangements-in-england-review>

⁵ <https://www.gov.uk/government/statistics/special-educational-needs-in-england-january-2019>

⁶ <https://www.bercow10yearson.com/wp-content/uploads/2019/07/Letter-to-Bob-Reitemeier-CBE-and-Kamini-GadhokMBE.pdf>

⁷ https://www.bercow10yearson.com/wp-content/uploads/2019/03/Children_Young_People_Speech_Language_Communication_Letter_PM.pdf

⁸ <https://www.childrenscommissioner.gov.uk/2019/08/02/the-government-should-finally-make-left-behind-children-its-priority/>