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SEND Reforms: Putting Children and Young People First
Consultation
Response from Manuela Perteghella MP- including feedback and views from the engagement with parents and carers of children with SEND needs in Stratford-on-Avon constituency

Dear Department of Education,

Introduction

I am writing to respond to the Government's proposed SEND reforms following a constituency SEND Forum I held in May 2026 with parents and carers of children with SEND needs, alongside further written correspondence I received from affected families in my constituency of Stratford-on-Avon.

This response reflects some of the views shared by parents, carers and families.

There is broad agreement that the current SEND system is broken. Families are too often forced to fight for support, wait too long for assessments, and navigate a system that is complex, inconsistent and adversarial.

I welcome the Government's focus on earlier identification and intervention. The earlier we identify need and begin to address it, the better the outcomes will be for children, families and schools. I also welcome the central focus on inclusion through improving support in mainstream settings, where mainstream is the right setting for the child.

However, the Government must ensure that reform strengthens parental confidence, specialist provision and accountability. It must not weaken legal protections, shift responsibility onto schools without the capacity to deliver, or reduce access to specialist placements for children whose needs cannot be met in mainstream education.

Parents and carers I spoke to agree that reform is needed, but not at the cost of enforceable rights, individualised provision or suitable education.

Key Priorities

- We welcome the focus on early years intervention. The earlier we identify need and start addressing it, the better the outcomes will be for children.

- We welcome the central focus on inclusion through improving support in mainstream settings. However, this also raises concerns of readiness and capacity of schools to meet needs.

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- There needs to be clarity and confidence in how assessments for the most appropriate setting for a child are made.

- We are very concerned about removing power from SEND tribunals to direct a local authority to name a specific setting as this will give parents even less opportunity to choose a setting that suits their child.

- Education health and care plans (EHCP) provide legal enforceability. From the consultation documents we do not have any assurance that this will be applicable to Individual Support plans. Legal backstop must remain also for Individual Support Plans. We are opposed to any weakening of legal protections.

- Every school should have access to a speech and language therapist.

- Recruitment, retention of teachers, teaching assistants, support staff plus increasing provision of psychologists and speech and language therapists as well as occupational therapists and capital funding is also uncertain. We must have a clear timescale (it currently takes eight years to train an educational psychologist).

- The government must also clarify funding for this capacity building in mainstream schools and continue to provide specialist provision and schools.

- The DfE must deliver high quality and comprehensive, continuous professional training for the whole school.

- There should be a focus on transition from 16 to 25 in terms of vocational skills, supported internships and a wide range of vocational course, as well as access to health services and treatments.

- There must be clarity on how SEND reforms will interact with other incentives and targets which schools are set. There needs to be harmony between these.

- We also must review the Curriculum, SATs and GCSE exams and ensure these are inclusive too.

Below I will go into details on each of these points.

Focus on early intervention
I welcome the focus on early years intervention. Parents and carers strongly support earlier identification of need. Families repeatedly told me that they want help to arrive before a child

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reaches crisis point, before school attendance breaks down, and before parents are forced into appeals, private assessments or home education.
However, early intervention must be substantial, timely and accessible. This means need for sufficient consideration is given to sources of funding, workforce planning and specialist services development.

At present, families face long waiting lists for educational psychology, speech and language therapy, occupational therapy and children's mental health support. Schools are already under significant pressure. Local authorities are already struggling to meet statutory deadlines and duties.
The model set out in the White Paper relies heavily on early intervention through the NHS, local schools and local services. At the moment, that capacity does not exist at the scale required.
The Government should therefore publish clear waiting time standards and a delivery plan for:

- educational psychology;
- speech and language therapy;
- occupational therapy;
- children and young people's mental health services;
- SEND assessment and review processes;
- early years SEND support.

Without this, early intervention risks becoming another promise families hear but do not experience.

Legal protections must not be stripped away
The strongest and most consistent concern raised by parents and carers was the potential weakening of legal protections.
EHCPs, introduced in 2014, are not perfect. Many families still have to fight to secure them and to ensure they are implemented. However, they provide legal enforceability.
Families explained that, even where an EHCP is in place, securing the right support can still be a continuous struggle. This does not show that EHCPs are unnecessary. It shows why enforceable rights are so important.
From the consultation documents and White Paper, there is not yet sufficient assurance that Individual Support Plans will have the same enforceability as EHCPs.
Parents were clear that Individual Support Plans may be useful if they provide earlier, clearer and more practical support in schools. However, they must not become a weaker replacement for EHCPs.
The legal backstop must remain. This includes access to SEND tribunals and independent challenge mechanisms where support is not provided.
The Government should confirm that:

- legal rights will not be stripped away;
- children and young people with SEND will retain enforceable entitlements;
- Individual Support Plans will have a clear legal status;
- parents will have an independent route of challenge where provision is inadequate;

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- settled placements and successful existing arrangements will not be disrupted;
- accountability will remain strong and effective;
- schools, local authorities and health bodies will all remain accountable for the support they are responsible for delivering.

A plan without enforceable rights is not enough.

Individualised provision must be protected

A major concern raised by parents was that the reforms could replace individualised support with a more standardised model.

Parents were particularly concerned about the move towards "ordinarily available provision" and nationally defined packages. These may help to clarify what every school should provide, but they must not be used to deny children the individual support they need.

Children with autism, PDA profiles, ADHD, sensory needs, speech and language needs, trauma-related needs, mental health needs or complex learning profiles may require highly individualised approaches.

Families shared examples where flexible, blended provision had worked, and where the removal of that provision left a child without suitable education.

The Government should therefore ensure that:

- children can still receive bespoke, flexible or blended provision where needed;
- local authorities cannot use national frameworks to refuse support that professional evidence shows is necessary;
- cost reduction does not override what is effective for the child.

The test should always be whether the provision meets the child's needs, not whether the child fits the model.

Tribunal powers and parental choice must be protected

We are particularly concerned about proposed changes to the tribunal system.

Removing or weakening the power of SEND tribunals to direct a local authority to name a specific setting would give parents even less opportunity to choose a setting that suits their child.

Parents and carers raised questions around how local authorities will suddenly start getting it right under the new system, when so many families currently have to rely on mediation and tribunal routes to secure appropriate provision?

There was also concern that greater control for local authorities may make it harder for families to challenge unsuitable provision. If local authorities are both responsible for managing resources and deciding what is suitable, independent routes of challenge become even more important, not less.

A reformed system should reduce the need for tribunals by getting decisions right first time. It should not reduce the rights of families when decisions are wrong.

The Government should retain the powers of SEND tribunals to:

- require local authorities to assess;

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- require local authorities to issue or amend an EHCP;
- consider the content and specificity of provision;
- direct a local authority to name a specific setting where appropriate;
- provide redress where provision is not being delivered.

Parents must retain a meaningful right to challenge unsuitable provision. This is especially important where local authorities propose a placement that is available, but not appropriate.

Existing EHCPs should be protected, especially at transition points
Parents were deeply concerned that children who currently have EHCPs may be moved into a new plan system within the next five years or at a point of transition if they are not deemed to have "very complex needs".
This phrase is currently unclear. Parents are understandably worried about who will decide which children meet the threshold for an EHCP and which do not.
A huge amount of work, time, professional input and often mediation or appeal goes into a child receiving an EHCP. It is never a decision made lightly. For many families, it follows years of evidence, assessments and multi-agency scrutiny.

Some of the proposals put forward:

- all children and young people who currently have an EHCP should be allowed to keep it at least until the end of their current school journey, unless the family chooses otherwise;
- no child should lose an EHCP at a transition point without a full, independent and appealable assessment;
- transition points should be used to strengthen continuity of care, not to remove support;
- children with lifelong, neurodivergent, sensory, communication, social, emotional or mental health needs should not be excluded from EHCP protection because they do not fit a narrow definition of "very complex needs";
- the annual review process should be retained.

Parents and carers raised concerns about children moving from primary to secondary school. For some children, especially those with neurodivergent needs, a lack of appropriate support at secondary transition can lead to mental health crisis, non-attendance or home education. Reform must prevent this, not increase the risk of it.

Individual Support Plans must not shift responsibility onto individual schools
The White Paper's move towards Individual Support Plans risks shifting much of the responsibility for decision-making, delivery and complaints onto individual schools.
This is a serious concern.
Schools are already under immense pressure. Many want to be more inclusive but do not have the funding, staffing, training, specialist support or physical space to meet every need.
Parents were clear that schools must not be left to "mark their own homework". If support is not delivered, parents need a clear and independent route of challenge.

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The Government should make clear:

- who is legally responsible for ensuring an Individual Support Plan is delivered;
- whether parents can appeal the content of an Individual Support Plan;
- how health and care provision will be enforced;
- how schools will be funded to deliver the support specified;
- what happens when a mainstream school cannot meet a child's needs;
- what independent oversight will exist.

If responsibility is moved from local authorities onto schools without funding and legal clarity, the reforms will increase conflict between parents and schools rather than reduce it.

Mainstream inclusion is welcome, but it must not become a cost-saving exercise

I welcome the ambition to improve support in mainstream settings. Inclusion is a vital principle. Children should be able to attend their local mainstream school where that is the right setting and where their needs can be properly met.

However, inclusion must not simply mean placing more children in mainstream schools without the capacity to support them.

Parents at the forum made clear that mainstream schools cannot always cope now. Some children need specialist environments, smaller settings, therapeutic support, alternative provision or blended models of education.

A child is not included simply because they are physically present in a mainstream school. Inclusion must mean that a child is safe, supported, able to learn and able to communicate.

The Government should define inclusion by outcomes and experience, not simply by location. Mainstream inclusion will require:

- funding for additional staff;
- proper SEND training for all school staff;
- protected time for training;
- access to specialist teachers and therapists;
- capital funding to make buildings accessible and suitable;
- smaller and more flexible learning environments where needed;
- specialist outreach into mainstream schools;
- appropriate support for behaviour, sensory needs, communication needs and mental health.

Without this, higher expectations on mainstream schools risk becoming more pressure on already stretched staff and families.

Funding and workforce capacity are not yet sufficient

The ambition to provide better specialist support is right, but the funding and workforce capacity appear insufficient.

Parents and carers remain deeply concerned that the scale of investment is not enough to meet the scale of need.

The Government has not yet provided sufficient clarity on:

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- how many additional educational psychologists will be trained and recruited;
- how speech and language therapy capacity will increase;
- how occupational therapy capacity will increase;
- how specialist teachers, SENCOs and support staff will be recruited and retained;
- how schools will be funded during the transition to a new system;
- how local authority deficits will be handled without reducing mainstream school budgets;
- how capital funding will create enough specialist and inclusive places.

There must be a clear timescale. Training an educational psychologist takes many years. The Government cannot assume that specialist capacity can be created quickly.
Any change to the SEND system cannot be delivered through further pressure on existing school budgets.
Reversing existing cuts is the bare minimum. Additional investment is needed for:

- transitional support;
- recruitment;
- retention;
- training;
- specialist services;
- local authority SEND teams;
- mainstream inclusion;
- specialist placements;
- capital improvements.

The decision to move local authority SEND overspends onto central government departmental budgets from 2028/29 must not lead to reductions in mainstream school funding. Schools cannot be expected to deliver expanded SEND provision while effectively facing further cuts.

Specialist provision remains essential
I support proper regulation, oversight and transparency in the independent special schools sector. Where public money is being used, there should be clear duties, proper standards and accountability.
Aligning expectations around admissions, standards and accountability with those applying in the maintained sector is sensible in principle. Publicly funded provision must be capable of scrutiny and must be subject to enforceable obligations.
However, there is a risk in approaching independent specialist provision as though cost is the primary problem.
In practice, independent specialist provision is often used because the required provision is not available elsewhere. Demand for specialist placements, particularly for children with complex or low-incidence needs, exceeds supply.
Regulation may improve consistency and oversight, but it does not create additional capacity.
If the focus is placed too heavily on constraining cost without addressing sufficiency, the result may not be better value. It may be reduced access.

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Children must not be placed in settings because they are available rather than because they are appropriate.
The Government should therefore focus on:

- increasing maintained special school capacity;
- Expanding local authority specialist resource provision where appropriate;
- creating flexible and blended provision;
- improving high-quality alternative provision;
- ensuring specialist outreach into mainstream settings;
- maintaining access to independent specialist provision where it is the right setting.

Cost implications

Parents and carers understand that the SEND system is under severe financial pressure. They also understand the need for public money to be used fairly and transparently.
However, there was deep concern that the reforms may be driven, in part, by a desire to control costs rather than to secure the right support for children.
A focus on cost reduction can create unwanted incentives. It can encourage local authorities to propose cheaper placements, delay assessments, narrow eligibility, or reduce bespoke provision even where that support is what enables a child to engage in education.
The Government must be clear that financial sustainability will not be achieved by weakening children's rights or reducing access to suitable provision.
The best way to reduce long-term cost is to identify needs early, provide support quickly, prevent school breakdown, reduce crisis placements, and ensure children receive the provision that actually works.
Cost control must never override suitability, safety or educational effectiveness.

Health and ICBs must be fully involved

Parents and carers repeatedly raised concerns that health bodies are not sufficiently involved in SEND planning and delivery.
EHCPs are yet too often families experience the system as education-led, with health input delayed, limited or absent.
Integrated Care Boards and health commissioners must be more involved in plans, assessments, commissioning and accountability.
The Government should place stronger duties on ICBs to:

- participate in SEND planning;
- commission sufficient speech and language therapy;
- commission sufficient occupational therapy;
- commission children's mental health support;
- support early identification;
- attend and contribute to relevant reviews;
- ensure that health provision in plans is specific and deliverable;
- be accountable when health provision is not delivered.

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The "H" and "C" in EHCP must be meaningful in practice.

Support for parents and carers must be strengthened

Parents and carers described the SEND system as exhausting, confusing and adversarial.
Families often have to become experts in education law, health systems, appeals, assessments and school funding simply to secure support that should be available.
This is especially difficult for parents and carers who are disabled, neurodivergent, working, caring for multiple children, or unable to afford private assessments or legal advice.
The Government should strengthen support for parents and carers by:

- properly funding SENDIASS and independent advocacy services;
- ensuring accessible information about rights and routes of challenge;
- providing support during assessments and annual reviews;
- ensuring mediation does not delay access to appeal;
- providing specific support at transition points;

A system that depends on parents fighting is not a fair system.

Transition from 16 to 25 must be a central part of reform

The reforms must include a stronger focus on young people aged 16 to 25.
Parents and carers raised the need for better vocational pathways, supported internships, functional skills, health transitions and preparation for adulthood.
The Government should strengthen provision for:

- supported internships;
- vocational courses;
- apprenticeships with appropriate support;
- life skills;
- functional and applied maths and English;
- preparation for employment;
- health and treatment transitions;
- independent living where appropriate;
- social care transitions.

SEND support must not fall away at 16 or 18. Many young people need consistent support into adulthood.

Annual reviews should be retained

Parents were clear that annual reviews should be retained.
The annual review process is important because children's needs change over time, provision must be checked, and families need regular opportunities to raise concerns.
However, annual reviews must be meaningful. Too often, they are treated as a procedural exercise rather than a real opportunity to assess whether provision is working.
The Government should retain annual reviews and strengthen them by ensuring:

- all relevant professionals contribute;
- health and care input is included where relevant;

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- parents and young people are properly heard;
- provision is reviewed against outcomes;
- changes are made promptly where support is not working;
- transition planning begins early.

Conclusion

I welcome the Government's recognition that the SEND system needs reform. Families in Stratford-on-Avon have made clear that the current system is too slow, too adversarial and too inconsistent.

I also welcome the focus on early intervention and improving mainstream inclusion.

However, the reforms must not weaken the legal rights children and families currently rely on. They must not remove tribunal protections, reduce parental choice, disrupt settled placements, or shift responsibility onto schools without the funding and capacity to deliver.

The Government should amend its proposals to ensure that:

- legal rights are protected and strengthened;
- EHCPs remain available for all children who need legally enforceable provision;
- existing EHCPs are protected, especially at transition points;
- Individual Support Plans have a clear legal status and route of challenge;
- SEND tribunals retain meaningful powers, including over named placements;
- "ordinarily available provision" is a minimum, not a ceiling;
- individualised, bespoke and blended provision remains available where needed;
- parents and carers are properly supported;
- mainstream schools receive the funding, training and specialist support they need;
- specialist provision is expanded, not restricted;
- ICBs and health commissioners are fully involved and accountable;
- the 16–25 pathway is strengthened;
- curriculum and assessment reforms are inclusive;
- annual reviews are retained and improved.

The ambition must be a system where children receive the right support early, where families do not have to fight, and where every child can access the setting and provision that meets their needs.

Warmest regards

Manuela

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