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The Attachment Research Community

## ARC Response to the SEND Review

**Q1. We want children, young people and their families to be involved in making better, evidence-based decisions about SEND, both in their local area and across the country. How can we make sure children, young people and their families have a genuine say in these decisions?**

The principles set out in this consultation appear fair and constructive, and we appreciate the efforts which have been made to engage with front-line professionals, parents, carers and family representatives in the consultation process. However, the success or otherwise of these proposals will depend on their implementation at local level, the extent to which every family, classroom practitioner and school leader feels that they are engaged. Further, and regrettably, there is very little in the consultation which addresses directly the ways in which children and young people's own voices can be heard, giving the impression that this is something which is being done to children and young people, but over which they have little control or agency. These issues are to some extent present in every consultation, but there are some examples of highly effective methodologies which can be used to address them, but to which the consultation document makes no reference.

There is also some danger that the final proposals address those issues put forward by more organised lobby groups, rather than reflecting the experience of families and children who are less engaged. Indeed, the accompanying White Paper puts forward some competing definitions of inclusion in relation to SEND and other issues, such as class and ethnicity, which are both confusing and which could imply a hierarchy of different needs, alongside the SEND definitions included in the consultation document. There needs to be a much clearer definition of inclusion and inclusive practice for education. Given that many children with SEND also have protected characteristics under the Equalities Act 2010, may be care-experienced or suffer other disadvantages, which may affect the way in which they are perceived and their likely life outcomes, it is hugely important that these issues too are taken into account. One key issue would be in the way that DfE produce information and guidance for parents. Visual maps stating what inclusion includes and how they can participate in making decisions about SEND should be on posters using less text and clearer statements.

Although, as outlined above, there are methodologies which can be employed directly to engage with disadvantaged and less powerful groups in a national consultation, the consultation document acknowledges, the way in which the proposals are implemented in individual schools will be crucial; this is where the agency of families, carers and children themselves will be very important. ARC has long argued that simplistic behaviourist policies of sanctions and rewards, and 'zero tolerance' approaches, militate against constructive engagement and positive relationships between schools, families and children, particularly where children are suffering from trauma, insecurity and poor mental health and/or where parents themselves have had a negative experience of schooling. Approaches towards students and parents/carers, which emphasise respect, listening, clarity and consistency are much more likely to be effective, both in schools and in wider consultations. While the consultation document makes some reference to this, in terms of Ofsted inspections and other monitoring arrangements, there needs to be a much more robust approach which directly confronts unacceptable school and MAT behaviours.

## **Q2. How can we make sure that high-quality evidence and best practice inform decisions about SEND? Please share examples.**

The consultation document rightly emphasises the need for rigorous and evidence-based approaches. It is pleasing to see that both quantitative statistical evidence and qualitative case studies are included. However, in the recent past, there has been a tendency by DfE, EEF and Ofsted to over-value traditional quantitative approaches, against qualitative methodologies. This has led to situations in which simplistic measures have been used – particularly in areas as complex as SEND and other inequalities – which miss the more granular relationships between different factors involved, and the different understandings of these factors by different participants. For example, under the New Labour government initiative on teenage pregnancy, the main overall priority was to reduce the level by half within a given period. However, taking this measure as a crude indicator meant that the local authority with the lowest rate of teenage pregnancy (15 per 10,000 of the relevant population) was compared unfavourably with authorities with much higher rates (45 per 10,000 in two instances) because the level of reduction was necessarily slower. A Joint Area Review, which considered the local evidence in detail, commended the authority's approach as 'good' and yet within a few months this judgment was revised back to 'inadequate', on the basis of the discredited statistical model.

Similarly, a number of organisations regularly consulted by DfE tend to emphasise quasi-scientific measures, based on medical methodologies, which may not be entirely appropriate for the complexities of the classroom (see Furedi, 2014). These measures include meta-analyses, systematic reviews, randomised controlled trials and use of survey questionnaires. There is danger that they reinforce received or conventional wisdom, or the prejudices of the researchers, who often themselves come from the same academic elite. This is particularly the case where there is an over-reliance on pre-coded questionnaires, where answers are already framed in terms of the researchers' preconceptions and biases. The problem is that researchers who do not conform to these norms will find it much more difficult to find funding for research which investigates alternative approaches (see Parker, 2015). Until recently, for example, EEF would not fund any research which could not be replicated eg via randomised controlled trials. This effectively excluded small scale classroom-based studies which have contributed to our wider understanding of the qualitative relationships which underlie SEND and inclusion in schools. While there is nothing wrong with the use of large scale quantitative measures per se, and they can, as in the consultation document, highlight specific issues and foci, this should not be at the expense of smaller qualitative and mixed methods approaches, which can themselves illuminate deeper issues.

## **Q3. How can we ensure that children are best supported by the Universal offer?**

The proposed requirement for all schools to have an Inclusion Strategy, supported by National Inclusion standards is to be welcomed, provided that this does not become a simple 'tick box' exercise, and that the statements in each school's strategy are evaluated on a regular basis by schools and by Ofsted. As outlined above, we strongly believe that all children – and staff - benefit where a personalised and relational approach is adopted. By contrast, approaches which demand evidence of individual pathological failure against a fixed and often inaccurate set of measures for 'exceptions' to be made, or additional resources accessed, are likely to compound and reinforce the effective exclusion of individual children, setting up an unnecessary competition for resources within the school, or an inappropriate chasing of external resources to support issues which should be addressed within the school. This further reinforces other inequalities – there is strong evidence under the current system that articulate middle class families are more likely to obtain EHCPs than less advantaged families where children are exhibiting the same symptoms and needs.

#### **Q4. How can we ensure that children in the Targeted layer, are best supported?**

We welcome the proposals for individual support plans. However, more broadly, the success of these proposals is dependent on ensuring that all school staff are aware of SEND issues and confident to support students with different types of need. Again this is related to a whole-school policy towards inclusion and relational practice, alongside specific training and support. Marvell College, a mainstream secondary academy, for example, has revised its approach to ensure every teacher is a 'champion' for two or three students with identified SEND. Further, it is important to recognise the limited effectiveness of 'one-off' training sessions, as opposed to long-term support mechanisms for staff and for school leaders. Parker (2024) describes the way in which school leaders have modelled approaches to enable staff to understand and adopt relational approaches, and the role which some MATs have played in supporting this. Similarly, Nash and Trivedi (2022) have indicated the role which local EPS and Virtual Schools have played in long-term support for these.

#### **Q5. How can we ensure that children in the Targeted Plus layer, are best supported?**

Again, we welcome the proposal to expand support bases in mainstream schools for both Targeted and Targeted Plus activities. However, there need to be clear protocols to enable schools to engage effectively with external services. These need to operate at three levels. Firstly, front line practitioners need to feel confident to engage and liaise with follow professionals in an atmosphere of mutual respect. This can be addressed through joint training and other liaison activities, using specific issues faced as an opportunity for mutual support and learning, rather than blame and recriminations. This does require some input of resources – mainly time – at the local level, and a willingness to engage in joint problem-solving rather than protecting or rationing other limited resources. Further, there will be a need to identify, recruit and train the new body of 'skilled practitioners' who will be required.

Secondly leaders, both in schools and in support services, need to buy into these approaches, encouraging joint learning and support. Schools need committed engagement from external services - not just when they feel they can afford it or have the capacity. Such a situation can leave schools and specific children / young people without a way forward. This is a key development for the proposed SEND area partnerships, which should be managing the processes with a view to consistency and fairness, again trying to avoid supporting existing vested interests and short-term 'they who should loudest' approaches.

However, what is missing from the existing proposals is a sense of overall strategic cohesion. While there are local behaviour support and the proposed SEND partnerships there is no framework which can coordinate and reconcile the overall needs analysis and offer to all children in a given area. Rather, the proposals reinforce the notion of a competing network of different needs, priorities and definitions of inclusion across different organisations and schools. This coordinating role was undertaken very effectively by the Children's Trust arrangements established under the Children Act 2004, but effectively abolished by the Education Act 2011; we would argue that without a robust strategic framework, coordinated by the local authority, the proposals for shared responsibility between schools and other agencies are likely to fail.

#### **Q6. How can we ensure that children in the Specialist layer are best supported?**

The principles outlined above also apply to children in the specialist layer. There is also an issue of language here, in that the use of the word 'specialist' suggests to parents that this is where the expertise and best teaching exists, and this is not always the case. We need to start turning away from medical diagnoses and focus on early intervention and provision personalised for pupils and supported by all

required services. However, if the resources, training and monitoring of standards required to implement universal, targeted and targeted plus approaches are inadequate, and if parents are not convinced about the levels of support available at Targeted and Targeted plus levels, there is a danger that becoming identified as in the Specialist layer, and having an EHCP, can become a 'gold standard' to which families will aspire. This could lead to an unintended consequence, whereby specific 'diagnoses' of SEND as a pathological individual state are prioritised, against support arrangements at a targeted level, and the actual number of EHCPs rises, again benefitting those families who have the resources to argue on behalf of their children, as against those who do not.

## **Q7. How do you think early years settings, schools, and college can best support the mental health and wellbeing of children and young people?**

As indicated above, there is a wealth of evidence which supports the view that relational approaches in school lead to better engagement, wellbeing and a sense of belonging for both pupils and staff in school. The current initiatives giving confidence to teachers to support lower levels of mental health needs in schools are to be welcomed. However, it is equally important that these approaches are not used to obfuscate significant mental health needs, and that teachers or social workers do not attempt to make diagnoses which should be made by qualified clinicians (see Woolgar and Simmonds, 2019). This relates to the comments made in section 5 above, over Targeted Plus. Giving schools and education staff the remit of supporting mental health needs - even the lowest levels - other than relational support - can give health services the permission to avoid supporting young people in schools. School referrals should be taken seriously and deserve to have health staff support them in keeping young people safe. Arrangements should ensure that where appropriate, schools can access expertise such as CAMHS and, conversely, that mental health professionals have confidence in the referrals from schools.

## **Q8. Do you agree that the refreshed 'areas of development' will support educators to understand and address barriers to learning and participation? Please explain your answer.**

The term 'areas for development' is neither accurate nor helpful. The areas of development only briefly identify need and do not illustrate the variety of need children / young people require. They are the headlines but without secure and in-depth knowledge and understanding of how complex and interlinking a child's needs can be teaching staff may easily try to focus on one area of development rather than see them in a holistic, developmental manner. For example, every child 'develops' speech language and communication skills over time, but some CYP have specific needs in this area and will need additional support/provision/planning.

There has nonetheless been a confirmed focus on inclusion and inclusive practice in the White Paper which is to be applauded. Other pluses include that the term mental health has been removed along with any reference to 'difficulties'. There is also a recognition that forming relationships is central to effective support and a compassionate response to children and young people with social and emotional needs. However, the subheadings in Social and Emotional are imprecise and rushed. One bullet refers to 'understanding and managing emotions' while another bullet refers to 'Regulating emotions'. Surely managing emotions and regulating emotions refers to the same capacity?

There is an attempt to move away from diagnoses and place the child and their needs at the centre of the support system. But schools and parents/carers are tied to diagnoses. Since the first SEN Code (1994), through the 2001 Code and then embedded in the 2015 Code is the notion that a label (ADHD, Autism, Dyslexia, PMLD etc) will get you funding for support and/or reasonable adjustments. It is naïve in the extreme to say that ADHD will not now be recognised or acknowledged as a term - and will be replaced by 'attention' and 'managing impulses' in the Area of Development termed 'Executive Function'. There has

been no lead in to this reversal of philosophy and policy and this will be soundly rejected by parents and schools.

A focus on relational approaches and high-quality, funded support should be the aim of change, but this needs to be undertaken incrementally to build trust and confidence in schools, communities and homes.

### **Q9. What arrangements would best support effective joint working between early years providers, Best Start Family Hubs, health, local authorities, and parents for children with SEND in the early years?**

The notion of local area SEND partnerships appears promising, provided that there is a strategic overview body, as outlined above - see question 5. It is important that early years providers can play a full part in these partnerships, not least to promote liaison with feeder primary schools prior to, during and post transition. However, there is an argument for an additional specialist early years partnership group, given the different and diverse nature of early years settings.

### **Q10. How can the early years foundation stage (EYFS) two-year old progress check and the Healthy Child Programme development review be improved so that children's needs are identified and supported more quickly? Please share examples.**

EY SEND Partnership Group for Areas / LA which include health (paediatricians, SLT, OTs) education and social care professionals who can work together to identify, provide and plan for EY support and longer term. They should follow the SEND code of practice and liaise regularly with school services to ensure that children can transfer with an EHCP or ISP into a school with support and staffing already in place.

### **Q11. What should the top three priority areas be for building and sharing evidence within the National Inclusion Standards?**

1. A clear definition of the nation's definition of Inclusion.
2. Shared responsibilities and accountability across agencies for meeting individual children / young people's needs where applicable.
3. An evidence-based school practice research expectation for all schools (either individually or in groups)

### **Q12. What should the top three priority areas be for building and sharing evidence within the National Inclusion Standards?**

1. Child Development covering all aspects of growth.

2. A grounding in Psychology and Sociology.
3. Inclusive practice in action at child, school and local level

### **Q13. What practical actions can help teachers, educators and leaders manage workload whilst implementing these changes?**

1. Free at access training and updates for aspects relating to SEND, e.g. relational approaches, autism.
2. Funding allowed to be used for a range of resources, interventions, e.g. horse riding, access to university expertise, opportunities to present research funding at conferences and local area meetings.
3. Time to facilitate closer parental / child voice partnership working. This might mean centrally funded additional staffing.
4. Early help and intervention by external professions e.g. mental health, SLT, psychologists to help provide individually designed programmes of support for children / young people

It is important to understand that relational approaches can assist professionals at all levels in understanding how best to recognise and address Special Needs. In many schools this will require some initial training and support, but the ongoing advantages will offset these resource requirements. As outlined above, school leaders and external experts will need to understand how best to access and respond to identified needs. There will be a need for local protocols to enable teachers and schools to access appropriate support at targeted, targeted plus and specialist levels. Training needs to be centrally funded to ensure all schools / education professionals can access relevant training as and when required.

### **Q14. How should the Special Educational Needs Coordinator (SENCO) role evolve to better meet the needs of children and young people with SEND?**

The SENCO still needs to have the skills and knowledge to be a critical thinker with underpinning specialist knowledge of areas of SEND to guide and support teachers. They need to be a leader and manager rather than just an administrator. However, it is important that the SENCO role evolves from being the 'expert' on SEND within the school, to facilitating the training and ongoing support of all staff to recognise and support individual pupils with SEND. The model at Marvell College, described in section 4, where all staff act as champions for two or three children with identified SEND, coordinated by the SENCO, would seem to provide a very constructive example as to how this could be achieved.

### **Q15. What would provide assurance for families that an Individual Support Plan (ISP) is high-quality and contains the essential information?**

1. They need to feel that they are part of the team informing and contributing to the ISP. They are the experts and need to be central to decision making alongside the child / young person.
2. The child also needs to feel happy, safe and secure in school (belonging) and be making progress (however small - especially in specialised settings) in all aspects of their development.

3. Other professions and agencies should engage and be present (online or in person) for meetings and consultations and be part of the reviewing / replanning process

## **Q16. How can we ensure Individual Support Plans are clear, concise and practical for professionals to use?**

They need to have clear heading detailing expectations, resources required and actions by all professionals involved with dates for interventions to be implemented / completed. These should be expected to be met by the dates agreed. Focus areas need to be clear and achievable within the timescale with space to evidence development and progress.

## **Q17. How can the early years foundation stage (EYFS) two-year old progress check and the Healthy Child Programme development review be improved so that children's needs are identified and supported more quickly? Please share examples.**

The young person's aspirations should be gathered consistently from at least Yr 6 so that realistic plans and support can be provided throughout their secondary education. This might require managing their wishes, providing additional support in specific subject areas and identifying similar more achievable courses, training, employment. They also need:

- support with financial management
- responsible use of AI and online technology
- life skills including healthy living and work / life balance
- relationships and parenthood advice and training
- a support worker to help them transition successfully from one to another setting going with them until settled.

## **Q18. How can we make sure that every area can meet the full range of the needs of children and young people through Inclusion Bases?**

- Mapping of LA / schools geographical area provision for SEND
- Mapping of SEND professions / health specialist services
- Audit of children / young people need on an annual basis so that long term data can be gathered (and shared if a child moves location)
- Funding for new buildings / relocation of Bases
- Funding for new resources and specialist training.
- Sharing expertise across areas through this mapping of professional knowledge

However, it is important to recognise that inclusion bases are not necessarily the solution and will not be able to meet the full range of needs. The mainstream offer needs to be where needs are met through training, finance and resources. Inclusion bases will only offer a limited number of spaces and will fill up immediately.

## **Q19. How can we make sure that Inclusion Bases help children and young people succeed in mainstream settings?**

- If we are being truly inclusive then why should every child and young person need to attend mainstream settings, let alone succeed in them. This is a false 'must have' by business to aid financial, risk and building planning and is not the meaning of inclusion.
- Not all humans like to be in large groups with a large social group so why should children? Inclusion Bases however can help those young people who need a breather, a break from the intensity of a mainstream setting. They might also need time to 'catch up' on concepts and learning due any number of reasons, over learning of certain aspects of school. Inclusion bases should certainly not become 'sin bins' for those on the edge of exclusion.
- In principle inclusion bases should be time limited, but this timescale will depend on the needs of the individual child/young person. However, with the complex nature of work and life now, especially with the role of flexible working and AI etc. learning to be on your own and in small groups as well as having the opportunity to enjoy large crowds and events should be valued.
- Skilled staff – both teachers and LSAs - with significant experience and appropriate skills should lead Inclusion Bases so that how to develop and maintain peer and appropriate relationships with adults can be taught and practiced

## **Q20. Through the Experts at Hand offer, we want to ensure that mainstream settings can get quick specialist support for children and young people. What arrangements are needed between local area partners (education, health, social care) to deliver this Experts at Hand offer effectively?**

There needs to be an understanding at a strategic level, that all services in education, health, social care are under pressure, and a coordinated arrangement to prioritisation which is understood at school level. There are some concerns that the phrase 'Experts at Hand' could undermine the professional skills of educators That should not be an excuse for non-response from external experts, and it needs to be backed up by training and a commitment to joint working from all parties. Protocols need to be established for calling in Experts at Hand, with clear response timetables. Local Area SEND partnerships will have a strong role in monitoring and supporting this.

## **Q21. What needs to be in place so that children and young people with low incidence, highly complex needs can always access the right specialist placement?**

- Flexible LA buildings and staff teams so that day and residential care and education can respond within a 6 week period within a set area. This needs to link directly to transport provision, resource needs and any transfer of Health, social, care.

- referrals from EY SEND Partnership groups for a complex need specialist placement as well as children moving from one LA to another should be sent to a centralised LA base so that a multi-professional team can identify a suitable location, team, transport, care, health needs within a matter of 6 weeks or so (One Term)

## **Q22. How can Specialist Provision Packages be designed to effectively support the main types of need we currently recognise?**

Packages can identify main types of need, but still need to be flexible enough to meet individual need and new resources / research findings. Each specialist provision package should first and last meet the needs of the child, taking into consideration the wishes of the child, family, and the most effective use of resources.

## **Q23. We propose that EHCPs will guarantee educational provision set out in a Specialist Provision Package, with day-to-day provision captured in Individual Support Plans. What is needed to make these proposals work effectively?**

FUNDING which is ring-fenced and which is detailed in legislation needs to say it MUST be provided by the LA for state run schools, MATS, Academies to every school requiring it within a set timeframe. This could be monitored by Ofsted or Regional Partnerships.

## **Q24. We propose creating a more direct route to Specialist Provision Packages and EHCP assessments for children under 5 with complex needs. How can we make sure this works in practice?**

This could be managed by the suggested Early Years SEND Partnership group linking with the LA schools SEND team and local schools (school SENCOs should already be part of this group). Evidence of its success can be monitored and data collected on successful transitions into school with provision already in place on entry.

## **Q25. What would you expect to be considered as part of the needs assessment, for example evidence and expert or professional input?**

Case Study evidence, which should include:

- evidence from Parents / families
- written evidence from all professionals involved - SENCOs, HT, all other agencies required

- specialist package needs and where this can all be met / what flexible base need to be supported to accept this child
- Specialist training provided prior to transfer by the agencies and not parents as so often happens now.

## **Q26. What factors should LAs take into account in proposing to parents and young people a list of potential settings to name on a plan?**

This should be the other way round. The applicants / schools / parents/ other professionals should all make a recommendation of their choice(s) to the LA evidencing the specific needs of the child / young person and family. The LA would then have to agree with the preferred placement or provide an alternative which could meet all the identified needs in the assessment.

Parents and young people should be able to go to a centralised non LA / Government organisation to receive a list of ALL schools available in their area for consideration.

## **Q27. What information and support do parents need to make a decision about which setting will be best for their child?**

Parents need to be able to consider

1. transport issues / times ,
2. length of time of attendance at a specific school (ie. up to 16 / 18),
3. the needs the school is able to support, plus the staff specialists
4. whether it has a religious designation
5. the opportunity to visit the school / setting with / without the young person and to speak with the headteacher / SENCO
6. Consideration of their long term needs and support requirements

## **Q28. What information and support do parents need to make a decision about which setting will be best for their child?**

Alternative Provision placements are effective because they provide a different experience for students. For some children this will enable a structured return to mainstream schooling, but for others this will be difficult, and they will be more likely to achieve and thrive in the AP environment (see Levinson and Thompson, 2016). There is strong evidence (see Ralph, 2023) that forced moves back into mainstream classrooms can have a detrimental effect on students' learning and engagement. It is therefore important not to impose prescriptive limits on AP placements, as opposed to negotiated arrangements with the young people themselves.

**Q29.** We have set out our plans to regulate Independent Special Schools (ISS) sector. Do you agree that these proposed changes will lead to suitable placements being available at a fair cost? *Please explain why.*

For many ISS a fair cost should be agreed. However there will be those children with such level of need that this will need additional funding / staffing etc. This should not be a one size fits all approach.

**Q30.** How should settings be held accountable for how they spend their Inclusive Mainstream funding?

Monitoring of inclusive mainstream funding should be part of the School Inclusion Plan. It is not clear from the documentation as to whether this would fall to the local authority in its SEND role, to the Schools Forum, as part of its overview of all school funding, or, in the case of academies, to Regional DfE directors as part of their monitoring of individual school expenditure. There needs to be a much clearer demarcation as to where responsibility for school SEND funding will lie. Our preference would be for the local authority to have clear responsibility for this, perhaps reporting to a new strategic body for children's services (see section 6).

**Q31.** Do you agree that more SEND funding should sit directly within mainstream budgets? *Please explain why.*

In principle, this appears entirely logical in the framework proposed by the consultation document. However, in reality, there is a need to recognise the competing funding pressures faced within schools, and a reluctance on the part of some schools to accept what are seen as 'open-ended' commitments in devolved SEND funding. This has led to the current situation, in which labelling children as having specific needs, additional targeted funding and EHCPs are seen as the only way in which schools can meet the needs of all children. The devolution of increased SEND funding to schools, although theoretically desirable, will need to be handled with considerable care. There is a need for significant cultural change, linked both to concepts of inclusion and meeting all needs within the school, and this will need to be led at all levels, from DfE, Regional Directors, local authorities, MATs and school leaders. There is some danger that, if not handled effectively, devolution of SEND funding may lead to a perverse incentive whereby some schools are more inclined not to admit, to exclude or to off-roll children who they perceive do not meet thresholds for Targeted plus or Specialist support.

**Q32.** In relation to pooled funding, we propose that every school becomes part of a local SEND group. Do you agree that this proposal aligns with our aim for all schools to be part of high- quality, community-based trusts?

We strongly support the notion of local SEND partnerships, although we have also argued above that these would be stronger if there is an overarching strategic body with representation from all interested parties, along the lines of the former children's trusts.

While we understand the principles which underlie the notion of community-based trusts, we are concerned that developing the community-based trust on the current MAT model can lead to a conflict of interest. The MAT's role up until now has been to ensure the 'success' of its schools in terms of a narrow set of performative measures and budget monitoring, rather than promoting the broader principles set out in the consultation paper, and while we applaud the efforts of MATs across the country which are promoting effective inclusive practice, many others are still adopting effectively exclusionary approaches. Our preference, therefore, would be for a single independent strategic body which can promote a range of inclusionary approaches across a local authority area.

### **Q33. How should disagreements about membership, provision, or funding in groups of schools for SEND be resolved?**

This is a weakness in the proposed model, where maintained schools, MATs and possibly remaining Single Academy Trusts will co-exist with other formal and informal school partnerships. As outlined above, we believe that a much stronger strategic group will be required to resolve issues of this nature.

### **Q34. How can we ensure the most effective use of these local partnership groups?**

See above. Local partnership groups will be vital in delivering consistent local solutions in a given area. However, they need to be linked with a wider strategic framework, with clear accountabilities and responsibilities to be effective.

### **Q35. How should disagreements about membership, provision, or funding in groups of schools for SEND be resolved?**

Parents, students, early years settings, schools, MATs, local authorities, health, social care and other providers will all have important roles to play. This starts look increasingly like the Children's Trust arrangements set out in the 2004 Children Act and abandoned in 2011.

### **Q36. How can we build stronger collaboration and a culture of improvement through local SEND strategic plans?**

See above. The only way in which local SEND strategic plans can be made effective is through a broader strategic framework and accountabilities.

**Q37. What information, advice and guidance can best support children, young people and their families to ensure greater fairness across the system?**

A national approach to this with the DFE providing additional support / input to individual schools / settings where the National Inclusion Standards are not being met.

**Q38. Do you agree that a SEND specialist (e.g. a SENCO) should sit on the school complaint panel, when the complaint relates to SEND support and provision? Please explain why.**

This would appear to be a logical proposal. The issues with complaints are often the extent to which the school has dealt directly with the issues as articulated by the student/family, has or has not communicated effectively with them, and the extent to which the complaint is reasonable in the context of the resources available. From this point of view, independent advice from an informed SEND perspective may be helpful. However, as indicated above, it may well be that, while in terms of the formal SEN Code of Practice, the school has not technically done anything wrong, alternative approaches may have been more effective. Similarly there may be other aspects of inclusion which are not formally part of the Code of Practice, such as poverty, ethnicity or care experience which need to be addressed. As with other aspects of this consultation, too narrow a definition of SEND may lead to important elements being missed. However, in practical terms, experienced SEND professionals are likely to understand these nuances and can contribute to an effective resolution of the issues.

**Q39. This consultation outlines a series of measures intended to reform the SEND system. Some of these measures have already been finalised, and this is clearly indicated within the document. With this in mind, is there anything further you would like to contribute to help inform the remaining proposals that are still under consideration?**

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