



Rt Hon Damian Hinds MP
Secretary of State

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Damian Hinds

In November, last year, you published your report *Good intentions, good enough?* which provided a review of the experiences and outcomes of children and young people in residential schools and colleges. My predecessor offered an initial response on 6 November. I am today offering a fuller government response, as promised in her letter.

First, I want to thank you for your report - I was very pleased to be able to discuss with you when we met on 9 July. Thank you again for taking the time to meet me and for your thorough analysis and clear recommendations. They have really helped inform my thinking on what is one of my key priorities for the Department. As you know, on 5 July, I set out my ambitions for SEND in my speech to Association of Directors of Children's Services (ADCS) conference. I want to address the role of mainstream schools in supporting children and young people with SEND; to improve the way education, health and social care provide and commission SEND services; and to increase our efforts to help young people with SEND access opportunities that will help them find employment.

In 2014, we introduced the biggest reforms to support for children and young people with special educational needs and disability in a generation. My ambition for these children is exactly the same as it is for all children - to achieve well in school and college and reach their potential, to find employment and lead happy and fulfilled lives.

Inevitably, in an area as complex and evolving as this, there will always be more we can do to realise that vision. That is why it is so important that we keep listening and learning from what people are telling us – families, voluntary and community sector partners and statutory organisations. The Autism APPG's report *Autism and Education in England 2017* and the report published earlier this year *Bercow: 10 Years On*, both made significant contributions to the debate in relation to children and young people with autism and speech, language and

communication difficulties. The ongoing inquiry by the Education Select Committee will also raise some important issues for the system.

Your report highlights some key challenges in the education system in this country and its impact on children and young people with SEND. It makes a number of important recommendations, many of which we have made some progress in addressing. It also provides critical steers to guide the future direction of government policy for ensuring that the system which supports children and young people with SEND in England is as effective as it can be; and that it lives up to the vision we set – in particular, children, young people and families sitting at the heart of the SEND system.

Let me turn now to your recommendations. This is not a definitive answer to each of them. Some of them were aimed at addressing long term trends in the system and will clearly require more sustained joint work, in particular with the NHS, in the longer term.

You highlighted the importance of the role of mainstream schools and colleges, and the workforce, in meeting the needs of children and young people with SEND. I recognise that there has been a steady movement of children with special educational needs out of mainstream schools and into specialist provision, alternative provision and home education. As part of that picture, rates of exclusion have been rising after a period of decline; and increasing numbers of parents are educating their children at home.

Children, young people and parents rightly have a strong say in deciding which educational provision best meets their needs. Many with Education, Health and Care (EHC) plans opt for special school provision and I am clear that specialist provision can be the right choice for many of those with more complex needs. But it is also right that the presumption in law is for mainstream education. Mainstream schools should, with the right support and training, also be able to provide the right placements for children with EHC plans; alongside strong support for those receiving 'SEN support'.

As your report identifies, a significant consequence of the trend towards greater reliance on specialist provision is pressure on local authority high needs budgets. I want to equip and incentivise mainstream schools to do better for children and young people with SEND. I will ask Ofsted to consider how our accountability system can sufficiently reward schools for their (often excellent) work with pupils who need extra support, and to encourage schools to focus on all pupils, not just the highest achievers.

Earlier this year I published a roadmap for reforming Alternative Provision that will see us focus on sharing best practice across the sector. I also launched the AP Innovation Fund looking for bids across themes, including supporting children to make good academic progress in and transitions from Alternative Provision and supporting children to reintegrate into suitable mainstream or special school placements. Earlier this year, I also asked Edward Timpson to carry out a review into exclusions, in particular looking in to why certain groups of pupils – including those with SEND and black and ethnic minority pupils – are

more likely to be excluded than others. I expect him to report back by the end of the year.

Another key theme of your report was to ensure that education, health and social care services can work together more effectively. I am looking at how my department, working with the Department for Health and Social Care and NHS England can support local authorities and NHS Clinical Commissioning Groups to improve planning and commissioning of SEND provision. That is essential, not just for local budgets, but, more importantly, for families, who deserve support that is holistic and responsive to all their needs, and that is provided as locally as is practicable.

I see this as the focus of the Leadership Board you proposed for children and young people with high needs. We are beginning the process of setting this up, and we will be working closely with you to shape its remit and membership. We want to work with the sector to understand how we can best use it to make a difference, with a particular focus on identifying and sharing effective practice. We will be exploring the options with you and others with an interest over the summer and will get the group set up in the Autumn. I look forward to seeing progress in this area and resulting improvements in the way local authorities and clinical commissioning groups plan and commission provision.

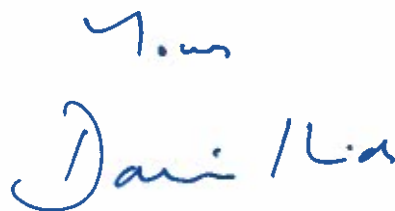
Turning now to the more specific recommendations you made, alongside the broad strategic themes referred to above:

- On 4 July, we announced our revised statutory guidance Working Together to Safeguard Children. This puts in place a stronger and more collaborative local approach to safeguarding children and promoting their welfare – and clarifies, as you recommended we should, who is responsible for safeguarding children currently placed within an area by another local authority.
- We have commenced work to review the national minimum standards for residential special schools, and we are considering how to achieve the sort of quality standards recommended by the review.
- We have in place a new contract with the Whole School SEND Consortium to embed SEND within approaches to school improvement in order to equip the workforce to deliver high quality teaching across all types of SEN. The programme of work includes building a Community of Practice with the involvement of 10,000 schools by 2020 and 15,000 schools by 2022, across the eight RSC regions.
- We are working with the Ministry of Justice and the SEND Tribunal to explore how best to share learning from cases with local authorities. We have organised legal training on decision making for local areas to improve their understanding of the law including when it is appropriate to contest a parent's or young person's choice of placement.
- To ensure schools are able to provide all pupils with the support they need, we are reviewing our approach to recruitment and retention and will be talking to a range of SEND specialists to determine how best to support newly qualified teachers at the beginning of their careers to start developing expertise for their future.

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- We will continue to gather evidence about the really good practice that we know exists on short breaks to inform our future thinking, including through the area inspections conducted by Ofsted and the Care Quality Commission.
 - Officials in my Department are working with colleagues in the Department of Health and Social Care to take forward recommendations your report makes about how mental health support can be delivered for children and young people with SEND, and how accountable care systems can lead to more coherence across education, health and care for children and young people with SEND.

It is critical that we continue to work together to achieve the vision of the SEND reforms, and that we continue to develop policies, and make important investment decisions, in a way that is responsive and that brings people with us. I recognise that local leaders are fundamental to achieving success and have made considerable progress in delivering the reforms, for which I am grateful. The organisations that represent the interests of families who have children and young people with SEND have a great deal of wisdom and expertise to offer, and I am enthusiastic about our continuing dialogue with them.

I will continue to play my part – to continue to fight for resources, set the vision and offer leadership. I am asking officials in my Department to ensure they understand the impact of our policies on vulnerable children and young people, and to develop and implement those policies in a way that has a positive impact on them. Perhaps most importantly of all, I recognise the need to listen to what families are telling us, both in terms of the specific support they receive and to their views about how the system can be improved at local and national level. Joint working is fundamentally important throughout the system, and I am very grateful indeed to you both for your important contribution to this joint endeavour.

A handwritten signature in blue ink, appearing to read 'Damian Hinds', with a small flourish above it.

Damian Hinds
Secretary of State for Education