

Department for Education and Department for Health and Social
Care

**SEND Reform: Putting Children and Young People First,
Government Consultation**

18 May 2026

General Comments

1. NASUWT welcomes the Government's ambition of high standards and an inclusive education system where every learner receives a high quality inclusive education in their local community. We also support the ambition that more children with SEN and disabilities should have their needs met in mainstream schools and the commitment to identify and meet needs earlier. Further, we welcome the Government's intention that there should be greater consistency in identifying and meeting needs.
2. We welcome the Government's recognition that this is not something that the education system alone can do and the need for public services including those relating to health and social care to work with education to ensure that the services and support are provided.
3. We support the Government's reform principles of Early, Local, Fair, Effective and Shared.
4. However, we have profound concerns that the proposals will not deliver this ambition and that there is a significant risk that the reforms will **reduce the rights of learners with SEN and disabilities (SEND) and increase the demands on schools and settings, and other frontline services in ways that are unrealistic and unsustainable.**

5. The consultation lacks detail meaning that the proposals may be interpreted in very different ways. This lack of clarity has implications for the validity of the analysis of the responses to the consultation. We are especially concerned that this could mean that the Government seeks to implement reforms while failing to understand the full implications of those reforms. We believe that there is a significant risk that this will result in a system that fails to deliver for children and young people who have SEND and which fails to help teachers and other frontline staff working with those children and young people to meet their needs. We wish to draw attention to the following issues:

The practitioner perspective

6. The success of the reforms will depend on whether they connect with the realities of life in the classroom and in the school. The expertise and voice of teachers, SENCOs and leaders are, therefore, central to making the system work. We are extremely concerned that teachers, SENCOs and leaders have not been consulted and appear to be peripheral to decision making. Teachers', leaders' and SENCOs' experiences and professional perspectives must shape decisions if the ambitions of the reforms are to be realised.
7. This response is informed by direct engagement with NASUWT members, including teachers, special educational needs co-ordinators SENCOs, leaders and specialist practitioners working across mainstream and specialist schools and settings. Their evidence reinforces the need for reform to be grounded in classroom reality and professional expertise.

Funding must be sufficient, consistent and aligned with need

8. Our school leader members tell us that they constantly struggle to manage budgets. Budgetary pressures mean that they are forced to make decisions about staffing and resourcing which prioritise support for learners who have an Education Health and Care Plan (EHCP) rather than learners who are on SEN Support who need additional support. Further, they report that the funding pressures that they face, including a mismatch between funding bands and actual

- costs, mean that they are constantly needing to be ‘creative’ about how they resource and deliver support and provision to learners who have an EHCP.
9. A recent poll of school leaders conducted by NfER for the Sutton Trust confirms our findings about the pressures on school budgets. Forty-three percent (43%) of senior leaders reported that they had cut back on support for pupils with SEND and 4 out of 5 leaders expected to make further cuts in the next year.¹
 10. It is clear from this evidence that existing funding fails to cover the actual costs of meeting the needs of learners who have SEND in schools and settings.
 11. Nationally, the Office of Budget Responsibility (OBR) projected that around £6 billion additional funding would be needed by 2028/29 in order to meet the rising costs of the current SEND system. This projected funding gap reflects the costs of maintaining existing entitlements. It does not address the funding needed to deliver meaningful reform.
 12. While the Government has provided additional funding, this just goes some way to covering the funding needed to maintain existing entitlements. It does not cover the costs of delivering the reformed system, including the costs of maintaining two systems through a period of transition.
 13. We are concerned that Government has no meaningful understanding of the true cost of funding inclusion in a school or setting. More work is needed to establish the actual costs for mainstream schools of meeting the needs of more learners who have SEND, including learners with greater needs. More work is also needed to establish the actual costs for specialist provision of catering for learners with more complex needs as well as providing specialist support and expertise to mainstream settings.
 14. The Government must recognise that meaningful SEND reform cannot be delivered on the basis of existing funding levels. A credible reform programme requires sustained long-term investment, including funding to maintain current entitlements, support transition costs and rebuild the wider early intervention,

¹ Sutton Trust, April 2026 School funding and Pupil Premium. Available at: [School Funding and Pupil Premium 2026 - The Sutton Trust](#) (accessed 28/4/26)

specialist and mental health services on which the system depends. Without this investment, there is a significant risk that reforms will simply increase pressure on schools and staff without improving outcomes for children and young people with SEND.

15. NASUWT believes that the Government should publish a full costed implementation plan before final decisions are made. This should identify the costs of maintaining existing statutory entitlements, the costs of transition, the additional costs for mainstream schools of meeting more complex needs, the costs for specialist settings of providing outreach and support and the investment required in early intervention, health, care and mental health services. Without this, there can be no credible assessment of whether the reforms are deliverable.

Workload and workforce capacity

16. While we welcome the recognition that the reforms should address the issue of teacher workload, we are concerned that the proposals are likely to increase the workloads of SENCOs, teachers, leaders and support staff. The current system relies heavily on the goodwill of staff in schools to 'go above and beyond' including to fill the gaps that arise as the result of delays in assessments, long waiting lists, specialist staff shortages and insufficient funding. Our surveys highlight the profound pressures that teachers and SENCOs face. NASUWT members have described a system increasingly sustained by goodwill, workarounds and hidden labour rather than by sufficient staffing, time and specialist capacity.
17. Ninety percent (90%) of class teachers report that the number of learners that they teach who have SEN has increased over the last 5 years and 95% of teachers report that the needs of learners in their classes have become more complex.² In spite of this, more than half of teachers in England reported that the level of support that learners with SEND receive has decreased in the last 5 years.³ More than four fifths (83%) of teachers in England reported that the

² NASUWT (2025) Class Teachers: special and additional learning needs and inclusion – survey report 2025.

³ Ibid.

amount of time that they spent adapting lessons had increased and more than three-quarters of teachers (79%) reported that they never, rarely or only sometimes received the help that they needed to teach learners with SEND effectively.⁴

18. *'I was a successful mainstream class teacher [who] left the classroom last year to work 1:1 with SEND children...I had 17 children on the SEND register and six with EHCPs with a morning only TA...No matter how hard we worked, we couldn't meet all their needs and the needs of other children in a class of 32'.⁵*
19. *'...in my experience of working with SEN students, they have thrived in smaller classes [with] TA support [which allows for] more time allocation with the teacher'.⁶*
20. The proposals do not address these existing pressures and do not appear to offer the additional funding to enable teachers to teach smaller classes and schools to retain and recruit additional support staff.
21. The vast majority (82%) of SENCOs in England responding to our survey said that they did not have sufficient time to fulfil their SEN duties.⁷ Many SENCOs report being overwhelmed by paperwork. Many SENCOs, particularly in primary schools also undertake the SENCO role alongside other responsibilities such as DSL and deputy head, which are demanding roles in their own right. And many SENCOs also report that they are under pressure because of insufficient staffing. For instance because the school has cut TA or administrative posts, but also because of a significant increase in needs: *'I have five TAs covering 8 EHCP students, one of which has 100% alternative curriculum and the others in total*

⁴ Ibid.

⁵ Former class teacher, England in NASUWT (2025) Class Teachers: special and additional learning needs and inclusion – survey report 2025.

⁶ Class teacher, England in NASUWT (2025) Class Teachers: special and additional learning needs and inclusion – survey report 2025.

⁷ SENCOs, ALNCOs and Principal Teachers (SfL/ASN): Coordinating special and additional learning needs: Survey Report 2025. Available at: [Special Educational Needs Survey Report 2025 - SENCOs, ALNCOs and Principal Teachers](#) (accessed 28 April 2026)

need 90 hours of 1:1 a week, so I sometimes do TA work or do the alternative curriculum'.⁸

22. While the proposed reforms seek to refocus the SENCO role to a more strategic one, the evidence from our members is that this will not work unless schools have additional resources, including more staff to enable schools to deliver on their SEN and other responsibilities. However, the general picture, as indicated above, is one of schools cutting posts.
23. All of the proposed reforms, including those relating to Individual Support Plans (ISPs), Specialist Provision Packages (SPPs), changing the SENCO role and establishing the Experts at Hand programme, should be subject to detailed workload impact assessments before decisions are made about implementation. These assessments should identify what additional work will be created, who will be expected to undertake it, what existing work will be removed, and what additional staffing or time will be provided.

Responsibility and accountability

24. The reforms place greater responsibility and accountability on schools. Teachers, SENCOs and support staff are not SEN specialists and cannot and should not be expected to cover the roles that should be carried out by professionals such as speech therapists and occupational therapists. Yet members tell us that they are often forced to do this because the specialist support is not available. While the Experts at Hand programme aims to increase the number of specialists in these roles, we do not believe that the numbers needed will be anywhere sufficient. If there is a shortage of specialists, this is likely to have the greatest adverse impact on learners at the Targeted layer of support and schools will be accountable for something over which they have little control.
25. The intention that there will be fewer Education Health and Care Plans (EHCPs) and that more learners will have their needs met through support outlined in ISPs

⁸ Quote taken from SENCOs, ALNCOs and Principal Teachers (SfL/ASN): Coordinating special and additional learning needs: Survey Report 2025. Available at: [Special Educational Needs Survey Report 2025 - SENCOs, ALNCOs and Principal Teachers](#) (accessed 28 April 2026)

is likely to compound the problem of schools being accountable when things are outside of their control. Parents are likely to place much greater weight on the ISP securing the support that their child needs. This is likely to create friction between parents and schools and undermine the relationship between them when effective support and inclusion requires collaboration and cooperation between the school and parents.

26. Schools must not be held accountable for provision that depends on health, care or specialist services unless those services are available, funded and accountable for delivery. Accountability must sit with the agencies responsible for providing support, not simply with the school or setting closest to the child.
27. SENCOs, teachers and leaders report that system pressures are affecting the relationship between schools and families and services. This is compounded by delays accessing support, limited availability of support and lack of clarity regarding responsibilities. This can create tensions which make collaborative working much harder.
28. We reiterate the concern that the proposals continue to rely on the goodwill of teachers, leaders and support staff in schools. Their goodwill is wearing thin. Failure to recognise and adequately address this issue will only intensify their stress and lead to burnout. Unless sufficiently resourced and supported, the reforms are likely to exacerbate the recruitment and retention crisis in schools.

Effective continuing professional development and learning (CPDL)

29. We welcome the additional £200m funding to be provided over three years to train staff in schools, colleges and early years. However, this money is a small drop in the ocean. If the £200m was only allocated to the school workforce, this would only amount to around £260 per full-time equivalent member of staff.⁹

⁹ Calculation based on the DfE's School Workforce figures for November 2025 of the teaching workforce FTE of 468,258 and the support staff FTE equivalent of 288,800.

30. The reform proposals do not address the issues of staff capacity, time and support which are key if the reforms are to be implemented effectively. This is a significant omission. Various surveys, including the DfE commissioned research, Working Lives of Teachers and Leaders (WLTl), report that lack of time due to high workloads and competing demands is a barrier to teachers undertaking CPDL. Sixty-four percent (64%) of respondents to the most recent WLTl survey reported this to be a barrier; 49% identified the cost of CPDL as a barrier and 46% reported lack of cover as a barrier.¹⁰
31. The features of effective CPDL include: a) it being designed to meet the individual teacher's needs and closely aligned to their work; b) clear goals and objectives; c) opportunities for feedback and reflection; d) active learning opportunities to practise what has been learned; e) collaboration, typically in job-embedded contexts; f) using models and modelling of effective practice; g) coaching and expert support; h) sustained development (some studies suggest that CPDL should last at least two terms in order to achieve cultural and organisational change); and i) CPDL being evaluated for its impact.^{11 12} Effective CPDL will require additional investment and cultural change to enable teachers, leaders and support staff to engage in high quality practice.
32. The reform proposals make reference to drawing on expertise, for instance, through proposals relating to Experts at Hand. However, the proposals fail to clarify the extent to which teachers and staff within schools and settings might be expected to contribute to the Experts at Hand programme as experts. As a result, it means that the reforms do not consider the consequences for staff of fulfilling those roles, and for their schools and settings in terms of capacity and time. This is a significant omission which has implications for staff workload and wellbeing and for the quality of education and support provided to learners in those schools and settings.

¹⁰ DfE (April 2026) Working Lives of Teachers and Leaders wave 4: research report. Available at: [Working lives of teachers and leaders: wave 4 - GOV.UK](https://gov.uk/working-lives-of-teachers-and-leaders/wave-4)

¹¹ Teacher Development Trust (2015) *Developing Great Teaching: lessons from international reviews into effective professional development*.

¹² Darling-Hammond, Linda et al (May 2017) *Effective Teacher Professional Development: Research Brief*. Institute for Learning <https://files.eric.ed.gov/fulltext/ED606741.pdf> (accessed 5 March 2026).

33. We are concerned that the reforms promote a deficit model where training is seen to address weaknesses in teachers' practice. Training may help staff to develop knowledge and confidence, but it cannot compensate for insufficient staffing, large class sizes, lack of planning time, and limited access to specialists or inadequate funding. The implication is that teachers are the barriers to inclusion and training will fix the problem. We strongly reject this approach. There is a need to invest in teachers' professional development and support. There needs to be time within the working day for teachers and other school staff to undertake development and to work collaboratively to share knowledge, practice and expertise.

All parts of the system connecting and working together coherently

34. Health and social care must play a more active role in delivering and resourcing support for SEND, and policies for the curriculum, assessment and accountability must support inclusion

35. Effective SEND provision depends on coordinated support across education, health and care. However, members report that they often struggle to get access health services and care services and that the system is fragmented.

36. We acknowledge that attempts have been made to achieve greater coherence, for instance through SPPs seeking to clarify where specific clinical intervention is needed and so what should be led by health. We also acknowledge the proposal that there should be a new SaLT advanced practitioner in every Integrated Care Board area and that the Department for Health and Social Care (DHSC) is committed to working with the DfE to ensure this. However, we are concerned that the extent of DHSC involvement with, and ownership of the reforms is unclear. We do not believe that the proposals address the likely level of demand for health provision.

37. Teachers and leaders raise significant concerns that the current curriculum, assessment and accountability systems work against inclusion, for instance by prioritising academic subjects, and through a deficit model of assessment that

doesn't recognise and value what lower performing learners can do. We are concerned that the curriculum and assessment reforms have failed to address these issues and have treated SEND as a 'bolt on' rather than embedding inclusion through the architecture of the national curriculum and assessment. Inclusion should be understood not only as access to a setting but as meaningful participation, belonging and progress. Curriculum, assessment and accountability frameworks must be redesigned so that they support these aims rather than undermine them.

Learning lessons from other education systems

38. We believe it is important to seek evidence from other education systems in order to consider what might work and anticipate potential barriers to effective implementation. It would be particularly appropriate to draw on lessons from Wales, where there has been a similar move towards more learners having their needs met in mainstream schools and where every child identified as having additional learning needs (ALN) is required to have an individual development plan (IDP). A SENEDD report reviewing the ALN reforms notes that there has been a 53% drop in learners being identified as having ALN since the reforms have been implemented.¹³ The report notes that this has happened even though the test to identify who has ALN hasn't changed from that for SEN. The report highlights difficulties arising from limited resources in schools, issues related to increased teacher workload, and issues arising from the requirement that every learner with ALN has an IDP and that schools be accountable to parents for the provision set out in the IDP.

Clarity of language and the implications for policy decisions

39. We have concerns that some of the language used to explain the policy proposals is unclear. For instance, the terms 'complex' and 'most complex' are vague and can be interpreted in different ways. Similarly, 'inclusion' can be understood to mean very different things. We believe that this presents huge risks as it allows for interpretations to be determined according to available

¹³ See: [Reviewing the ALN reforms: In Brief](#) and the Senedd's Children, Young People and Education Committee report, Implementation of Education Reforms: interim report (July 2024) available at: [Implementation of education reforms: Interim report](#) (both accessed 29/4/26)

funding or resources rather than needs. Gatekeeping is a huge issue. SENCOs and school leaders report that services are amending or raising thresholds for access to assessments and services in order to manage their resources. They also report that banding is being used to allocate funding based on available funding, rather than the actual costs of resourcing that provision. This means that learners are being denied access to the specialist support that they need. It also means that schools and settings are absorbing the additional costs from their own budgets. We are extremely concerned that SPPs could be used to gate keep provision. It is vital that key terms such as ‘inclusion’, ‘complex’ and ‘most complex’ are clearly defined and that definitions are communicated in ways that are accessible and understood.

Protecting statutory entitlements

40. It is vital that statutory entitlements are protected and strengthened. NASUWT would oppose any reform that reduces individual legal entitlement, weakens enforceability, or replaces rights with provision that is conditional on local capacity or available funding. Children and young people who have SEND should not lose their right to provision and support that meets their individual needs as a result of the reforms. This is a particular risk if the reforms are insufficiently funded and resourced, if there are wider and competing pressures on schools, settings and services, or if the timescale for implementing the reforms is unrealistic. We have particular concerns that the proposed changes could result in ISPs, EHCPs and SPPs being used to manage demand and so access to support rather than to ensure that a learner’s needs are met.

41. Any proposed changes to existing arrangements should be accompanied by a full legal impact assessment and equality impact assessment setting out how existing rights will be protected.

The timeframe for reform

42. We do not believe that the timeframe for reform is realistic. The proposals suggest that the reforms will be in place within three years. This is only likely to happen if few changes are made to what has been set out in the consultation. It provides very little time to test, trial and review what is proposed, including

responding to barriers that are identified. While there may be some schools, Trusts and local areas that have already adopted many aspects of what is being proposed, there will be many more where this is not the case. It is crucial that the barriers to them implementing the reforms are identified and understood before final decisions about the reforms are made. It will be particularly important to understand and address barriers that arise for schools, trusts and local areas because of context. For instance, the challenges in an area that has constructive working relationships and cooperation across services will be very different to those in areas where there is limited cooperation or where relationships are strained. Similarly, the challenges facing schools and trusts that serve rural communities are likely to be quite different to those in urban areas. We have particular concerns about funding reforms and the risks that arise from failing to fully understand and take account of the barriers.

43. NASUWT believes that reforms should be piloted, independently evaluated and revised before wider implementation. Implementation should not proceed to a fixed timetable if evidence from pilots shows that funding, staffing, specialist support or workload pressures make delivery unsustainable.

Specific Comments

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?

44. If children, young people and their families are to have a genuine say in decisions about SEND in their local area and across the country then structures need to be in place to enable them to engage with decision-making processes. Mechanisms for engaging children, young people and their families must be accessible, catering for different needs and backgrounds. It is also vital that proactive steps are taken to identify and engage with those children, young people and families

who are less likely to participate or feed in their needs and views. Children, young people and their families are more likely to contribute to decision-making processes if they feel that they are being listened to and they can see how their views have influenced decisions. Therefore, it will also be important to ensure that information about what has been done is communicated in ways that can be clearly understood.

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

45. We wish to emphasise the importance of ensuring that examples of effective or best practice include evidence that helps to explain context, the challenges that have arisen, how challenges have been overcome, and challenges that remain. This information is crucial if decisions about SEND policy are to address the challenges that other schools, settings, services or areas might face.
46. The reforms are likely to place considerable demands on SEND staff in schools, particularly the SENCO. While the consultation seeks to make the SENCO role more strategic, this is unlikely to happen unless additional resources are provided to schools.
47. Some schools have placed a strong emphasis on inclusion and have established SEND teams to work with and support the SENCO. This includes examples of teams that have a SENCO and a deputy SENCO as well as a team of specialist support staff. However, it is important to recognise the challenges that those schools still face as funding pressures still mean that resources are under threat and posts are being cut. Also, MATs, federations of schools and some large schools may be able to resource SEND teams, but this may be difficult or even impossible in smaller schools. There is a need to explore other possibilities for supporting SENCOs in smaller schools. This might include exploring whether SENCO teams might operate across a group of schools and support the SENCO and other staff in those schools.

48. We are aware that some MATs have adopted a strategic approach to inclusion which includes having a team to support SENCOs and staff, and buying in specialists such as Educational Psychologists and Speech Therapists to provide support for early intervention. While these examples might be considered to be effective practice, we are concerned that context is often omitted. We note that some of the examples have been developed drawing on reserves with the additional funding lasting for a limited period of time. This raises questions about long-term sustainability. If such examples are used to make decisions about SEND policy and the full context of those examples is not understood or ignored, then there is a significant risk that the reforms will fail,

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

49. The support needed will depend on understanding the context. If children are to be supported effectively by the Universal offer then it is important to consider the wider education system and how that supports or hinders inclusion. We are concerned that wider education policy such as that relating to the national curriculum and assessment, does not support inclusive practice in mainstream schools. This means that learners with SEND are more likely to need adaptations and support. It also means that the achievements of lower performing learners with SEND are not valued. A deficit model of 'not meeting expected standard' also impacts negatively on a learner's sense of belonging.

50. The consultation proposes that all teachers will receive SEND training. This has implications for capacity. Teachers and leaders report that lack of time because of workload and competing demands is a major barrier to them undertaking CPDL.¹⁴ While training may help to build awareness of needs and strategies that may help to meet needs, this will not be sufficient. There is also a need for teachers to have access to high-quality professional development and learning, and opportunities to collaborate with and learn from colleagues and specialists. Therefore, it is essential that the reforms address the issue of capacity and time

¹⁴ DfE (April 2026) Working Lives of Teachers and Leaders Wave 4: research report. Op. Cit

to undertake training, professional development and learning and to seek support.

51. NASUWT believes that specialists, including those who are part of the Experts at Hand programme, should be available to support at the Universal level. This might not involve specialists working with individual pupils or groups of pupils, although there might be particular circumstances where this would be appropriate. However, we do think there is an important role that Experts can play in building staff awareness and understanding of strategies that can be applied at the Universal level to support all pupils as part of inclusive practice.
52. Including more learners with SEND in mainstream schools, including more learners with higher levels of need, has implications for mainstream provision. If class teachers are to meet the needs of all learners in their classes and there are more learners with special needs in their classes then the teacher is likely to need more time to plan and prepare for the increased complexity. It is crucial that the reforms address this by drawing on evidence about class sizes and the time needed to plan and prepare for inclusion. We would expect to see action and clear guidance on reducing class sizes and providing teachers and other staff with adequate time for planning and preparation.

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

53. As with our answer to the question about the Universal offer, this will depend on understanding context. It will also depend on the effectiveness of the Universal offer. A key consideration for NASUWT is that the Universal offer must provide a strong foundation for the targeted layer. This means that the Universal offer and funding and resourcing for mainstream more generally must be sufficient and designed to support inclusion.
54. If the Targeted layer is to best support children who need support beyond the Universal offer then it will be vital that they can access the support that they need easily and promptly. This means that schools need to be adequately resourced to provide that support. It will be crucial that schools have the teachers and support

staff to meet those needs. We point to evidence from our SEN survey¹⁵ which highlights the pressures that schools are currently under and which raises serious questions about their capacity to deliver what is being proposed. Evidence from the survey demonstrates the difficulties that schools face in obtaining support from specialist services and the consequences of this in classrooms more generally. The proposals do not address our members' concerns about the lack of specialist support or appropriate and sufficient resourcing and support through the Universal offer. Combined, this is likely to place huge and unsustainable pressure at the Targeted layer.

55. The consultation proposals draw a distinction between support provided by the school (Targeted) and support that also draws on that from specialists outside of the school or setting (Targeted +). We consider this distinction to be problematic and believe that external specialists should play a role in helping the school or setting to meet the needs of learners at the Targeted layer. In particular, we believe that specialists, such as those provided through the Experts at Hand programme, may play a crucial role in helping to build knowledge and awareness among staff in a school or setting. They should be part of the system that helps to build capacity within mainstream settings.
56. We note that this is likely to mean that many more specialists will be needed and we have already expressed concern that the proposals are unlikely to provide sufficient numbers of specialists. However, this must not mean that the issue is ignored. It means that other measures need to be put in place and that the timescale for implementing the reforms needs to be increased.
57. We want to raise particular concerns about the potential workload burdens arising from every child who has SEND having an ISP. If the reforms are not implemented effectively and they place huge burdens on schools and settings, there is a significant risk that more learners will not be identified as having SEND. We draw attention to the SENEDD report in Wales which finds that the ALN reforms have resulted in a 53% drop in the number of learners being identified as

¹⁵ [Schools: Support for Special Education Needs \(SEN\), Additional Learning Needs \(ALN\) and Support for Learning \(ASN\) and Inclusion](#), and [SENCOs, ALNCOs and Principal Teachers \(SfL/ASN\): Coordinating special and additional learning needs](#) – Survey reports 2025.

having ALN.¹⁶ While the reasons for this drop are not clear, capacity issues, lack of funding and the pressures on SENCOs and staff in schools are likely to be among the factors.

58. It will be crucial that reforms at the Targeted layer are developed, trialled and tested with teachers and SENCOs as they will be the primary deliverers of support at this level. This must include ensuring that the issues and barriers that they identify are understood and that teachers and SENCOs play a key role in establishing policy solutions that can be delivered.
59. We have concerns about the proposal that every learner who has SEND will have an ISP and that schools will be responsible for ensuring that the ISP is delivered. This risks making schools responsible for identifying, planning and delivering what is included in the ISP. It must not be left to schools in isolation to identify, plan and deliver what is in the ISP. They do not have the expertise and must not be held to account for provision and support that should be provided by others.

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

60. We reiterate the concerns that we raised in response to the questions about the Universal Offer and support at the Targeted level. Our response to this question focuses on the distinction between what is provided through the Targeted+ layer and that provided to children in the Specialist layer.
61. The boundary between Targeted+ and the Specialist layer is not clear. While the intention is to address this through National Inclusion Standards and Specialist Provision Packages, we believe that there is a significant risk that these mechanisms will be used to manage demand and so ration access to provision, including access to EHCPs. Such practices would continue to place huge and unsustainable pressures on staff in schools. The reform proposals could mean

¹⁶ [Reviewing the ALN reforms: In Brief](#) and the Senedd's Children, Young People and Education Committee report, Implementation of Education Reforms: interim report (July 2024) available at: [Implementation of education reforms: Interim report](#)

that schools are held accountable for meeting needs and delivering the provision set out in the ISP even though they cannot access the provision. This would be completely unacceptable.

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

62. We reiterate concerns raised in our responses to the questions about the Universal offer, and the Target and Targeted + layers. We reiterate our particular concern that the boundary between Targeted+ and the Specialist layer is not clear and that there is a significant risk that an inadequately funded and inadequately resourced system will result in learners who need support at the Specialist layer being denied access to that support as a result of practices that focus on managing demand. The Government must address this issue which must include ensuring that the reforms are adequately funded.
63. The lack of clarity around which learners would be able to access support at the Specialist layer is compounded by the terminology being used to make that distinction. The consultation document refers to providing 'Specialist support' to learners with the 'most complex needs'. What constitutes 'complex' or 'the most complex needs' is unclear, and is open to interpretation. This must be addressed before the reforms are finalised. Failure to do so will increase the risk of standards and guidance being used to manage demand rather than to ensure that needs are met.
64. There is a need to clarify that 'inclusion' means more than including learners with SEND in a mainstream local school. While it might mean that more learners with SEND are included in mainstream classes for some or even all lessons if the school has the resources to meet their needs in this way, it must also mean that attention is paid to the social dimensions of inclusion. The reforms must address the implications of this for school resources. This will be particularly important if more mainstream schools have inclusion bases (specialist).
65. A more inclusive system will retain and strengthen specialist provision. Some children and young people will continue to require special schools, specialist

settings or specialist bases, and reform must not assume that mainstream placement is always the appropriate or preferred outcome.

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

66. We welcome the proposal to make a clear distinction between social, emotional and mental health support that should be led by educators and clinical mental health interventions which should remain with health professionals. However, we have concerns about the expectations being placed on schools when services and support are not universally available or when health services fail to deliver services that a child needs. For example, currently only 52% of learners have access to support from Mental Health Support Teams (MHSTs). While the Government is committed to expanding this to all schools by 2029/30, it will be crucial to ensure that all learners can access the support that they need. Further, there is a need to make health services accountable for delivering the clinical provision that children need in order to engage fully in education.
67. NASUWT members are concerned that MHSTs only provide lower levels of intervention and that there are significant difficulties accessing higher levels of support, such as that provided by Children and Adolescent Mental Health Services (CAMHS). We are concerned that the reforms will not address this wider issue of capacity in health service mental health services. Schools should not be expected to act as a substitute for CAMHS or other clinical services. Where a child or young person requires clinical support, health services must remain responsible and accountable for providing it.
68. There are significant pressures on Senior Mental Health Leads in schools, many of whom undertake the role alongside other responsibilities such as SENCO, DSL and other senior leadership roles. *'[I am] SLT, SENCO, Designated teacher, MH Lead, ECT Mentor etc...'*¹⁷ The issue is systemic and focusing on SEND-

¹⁷ Quote from SENCO in England in [SENCOs, ALNCOs and Principal Teachers \(SfL/ASN\): Coordinating special and additional learning needs](#) – NASUWT Survey report 2025

related changes alone will not address the problem. Schools need more resources if inclusion is to be effective and all learners have their needs met.

69. We welcome more guidance and practical resources to enable schools to better support learners' mental health and wellbeing through the Relationships, Sex and Health Education (RSHE) curriculum. We note that the vast majority of teachers delivering the RSHE curriculum are not RSHE or citizenship experts but are teachers of other subjects. It will be important for the DfE to monitor the effectiveness of the guidance and resources and to look at what additional guidance and further support is needed.

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.

70. We welcome the move away from definitions which rely on diagnosis to a framework that seeks to support identification of barriers to learning. However, we have concerns about how the proposed areas of development might be used alongside National Inclusion Standards (NISs) and SPPs as the Standards and SPPs are likely to shape practice. Some learners will have needs that are covered by more than one area of development. If the NISs and SPPs are perceived to require schools and settings to highlight a single area of development then this could undermine the effectiveness of these changes. We think it would be useful to provide some examples to help illustrate how the areas of development might be used, including where needs cover more than one area of development.
71. We recommend that the term 'Executive Function' is changed as some staff in schools and settings will not be clear about what this covers.

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?

72. Effective joint working in the early years requires clear responsibilities, shared funding arrangements and timely access to health, care and specialist services. Early years providers cannot be expected to compensate for gaps in wider services. Local arrangements should include named points of contact, clear referral pathways, shared information protocols and sufficient specialist capacity to respond quickly to emerging needs.

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.

73. The two-year old progress check and Healthy Child Programme review should be better aligned so that emerging needs are identified consistently and acted on promptly. However, identification is only useful if support follows. The government should ensure that early years settings, health visitors, family hubs and specialist services have the capacity to provide timely support once needs are identified.

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

75. The proposals for the National Inclusion Standards lack detail meaning that it is difficult to comment on the plans for reform. However, a key priority for NASUWT members is that the reforms recognise and build from the reality of what happens in schools and classrooms. Evidence from SENCOs, teachers and school leaders in schools and settings must inform decisions about what the National Standards should cover. This needs to include evidence that addresses different contexts. For instance, the Standards must be relevant across different phases of education and they must be appropriate to small schools in rural settings as well as large schools in urban areas.

76. The standards must address what is practicable and sustainable as well as providing a framework for effective, inclusive practice. Closely allied to our first priority, SENCOs, teachers and school leaders must be actively involved in the work to develop the National Inclusion Standards. Their voice and expertise must be central if the National Inclusion Standards are to work.
77. Building on this second priority, we welcome the intention that the National Inclusion Standards should ensure greater consistency and coherence across settings and that they should help to remove barriers to learning. Depending on how the Standards are framed and the system being adequately funded and resourced, they may achieve these things. However, NASUWT's concern is that the reforms will not be adequately funded and resourced and that the Standards will become a tool for placing responsibility and pressure on schools to deliver 'inclusion on the cheap'. Evidence must be gathered to ensure that this does not happen. The National Inclusion Standards must not depend on the goodwill of staff in schools.
78. Our third priority is that the National Inclusion Standards must recognise that learners who have SEND may have very different needs and aspirations. They must support personalisation. We are concerned that the Standards could be used as a tool to standardise and rationalise provision. This is a particular risk if the reforms are not adequately funded and resourced.
79. National Inclusion Standards should not be standards for schools, colleges and settings alone. They should also set expectations for local authorities, health services, specialist services and government so that responsibility for inclusion is shared across the system.

Q12. What are the most important issues for national training to cover, to help support children and young people with SEND?

80. Our members have expressed serious concern that the commitment to provide all staff with training to help build inclusive learning environments builds on an assumption that the workforce is the barrier to more inclusion in mainstream

schools. They strongly reject this characterisation and draw attention to the unsustainable pressures that teachers, SENCOs, leaders and support staff face in meeting the needs of an increasing number of learners with SEND and the increasing complexity of those needs. Many of the issues arise because schools, settings and services are not adequately resourced. Teachers and SENCOs are often left trying to plug gaps because specialist support is not available or there are long delays in accessing that support.

81. NASUWT members recognise the potential value of training, but stress the need for this to be available in the working day and for teachers to be given time to undertake the training. While the additional £200 million to support workforce training over the next three years is welcome, the amount is woefully inadequate.
82. We reiterate points made in our general comments section about the need for high quality professional development, the features of high-quality CPDL, and the need for teachers, SENCOs and staff to have dedicated time to undertake that professional development.
83. NASUWT members recognise the value of training that is practical. The emphasis of any training that is provided should be on providing practical support, particularly raising awareness of strategies that can be applied universally that support inclusion.
84. Any fit-for-purpose national training strategy must cover practical, classroom-relevant strategies, understanding of different areas of need and effective use of support staff. It should also support the development of expertise in building collaboration with specialists, reasonable adjustments and the relationship between curriculum, assessment and inclusion. However, it must be delivered within working time and be supported by sufficient staffing and cover arrangements.

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

85. NASUWT is extremely worried that the proposals are likely to place huge workload burdens on staff in schools. In our general comments, we drew attention to the particular workload pressures on teachers and SENCOs. These pressures arise because of increasing numbers of learners with SEND in schools and increasing numbers of learners with more complex needs. They also arise because schools are cutting support staff posts as a result of funding pressures. Further, they arise because schools cannot access support from specialist support services or because there are long delays accessing the support.
86. The practical actions that would help teachers, SENCOs, leaders and support staff to manage workload are simple: provide additional funding so that schools can retain support staff who help to support learners with SEND, provide additional funding so that schools can appoint additional teachers and support staff to permit teachers, leaders and support staff to undertake high quality professional development and to work collaboratively to share knowledge and practice, and fund specialist services adequately so that they can provide the specialist support when needed.
87. Workload pressures also arise because other education policies do not align with the policy of inclusion. For instance, teachers raise concerns that the national curriculum and assessment frameworks make it more difficult to teach inclusively. We are concerned that the curriculum and assessment reforms have treated SEND and inclusion as a 'bolt on' rather than undertaking deeper reform of the national curriculum and assessment architectures to embed inclusion.
88. Any new duty or process should be accompanied by a clear statement of what existing work will be removed or reduced. Reform cannot simply add new expectations to an already overloaded workforce.

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

89. The SENCO role cannot become genuinely strategic unless schools have the staffing, administrative support, specialist services and protected time needed to remove routine operational burdens from SENCOs. We support the ambition that the SENCO role should be more strategic and less administrative, and the recognition that currently the majority of SENCOs are overwhelmed with administrative work. Many SENCOs tell us such work arises because tight deadlines must be met and they do not have the staff to undertake this work. Some of the deadlines are imposed by external services, e.g. to provide evidence to support an assessment or referral within two weeks or the learner will be removed from the list or the school will need to start the application process again. The reforms must address practices to deter and manage access to services.
90. Burdens also arise because of the workload associated with meeting statutory deadlines. In many instances, budgetary pressures mean that the school has been forced to cut posts, and administrative and support staff posts are most likely to be cut. In other words, SENCOs are undertaking the administrative work because the school cannot employ sufficient administrative and support staff. Half of SENCOs and school leaders from England responding to our SEND survey reported that the number of specialist support staff (49%) and other support staff (50%) employed by their school had decreased in the last 5 years.¹⁸ The issue is due to systemic underfunding of the education system and the proposals do not address this issue.
91. We have very significant concerns that the reference in the proposals to helping 'settings create inclusive workforce models' will be interpreted as expecting schools to offload work currently undertaken by the SENCO on to teachers and support staff employed by the school. We would strongly oppose attempts to do

¹⁸ [SENCOs, ALNCOs and Principal Teachers \(SfL/ASN\): Coordinating special and additional learning needs](#) – NASUWT Survey report 2025

this. Teachers and support staff already go 'above and beyond'. Their goodwill is being exploited and this is not sustainable.

92. NASUWT believes that, with additional funding, SEND teams could play a key role in embedding SEND and inclusive practice across a school and that a SEND team would help to make the SENCO role manageable, particularly teams that include a deputy SENCO. There is a need to give careful consideration to how SEND teams might operate in small schools and rural contexts. This might include exploring whether SEND teams might operate across a group of schools to support the SENCO and other staff in those schools and any specific support that might be provided by Experts from the Experts at Hand programme.

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

93. Family confidence about ISPs cannot be understood in isolation from their confidence in the SEND system as a whole. Parents and families are likely to be assured that ISPs will result in high-quality support and provision for their child if they see evidence that other children are getting the support that they need and that their own child's needs are identified and the provision required to meet those needs is provided promptly and appropriately. Families will not be reassured merely by the existence of a well-designed ISP if the provision in it cannot be accessed or enforced.
94. Parents and organisations representing parents are expressing huge concerns that the proposed reforms do not tackle the underlying problems in the system. They fear that the intention to reduce the number of EHCPs is a money-saving exercise, and that ISPs will reduce their child's rights. The content and presentation of an ISP will be largely irrelevant if their children cannot get the support that they need. They are concerned that schools are being made responsible for things in the ISP that they do not have the expertise to deliver (e.g. health provision or support from an expert external to the school when the expert is not available). Further, parents and families are expressing concerns that the proposals will have an adverse impact on the family/school relationship.

They say that they value the relationship with the school and identify the need to work collaboratively with the school so that their child's needs are met. They fear that ISPs will create tension and conflict.

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

95. If ISPs are to be helpful to teachers and other professionals then they need to be clear, provide practical information about needs and be up-to-date. ISPs must be designed with class teachers and SENCOs and not imposed on them after design decisions have already been made. A key concern for teachers and SENCOs is that preparing and maintaining ISPs will create workload burdens. They are also worried that ISPs will be extremely bureaucratic, even if this is not the intention. Bureaucracies often arise when systems are high-stakes and actions and documentation effectively become a source of evidence to prove what has and has not been done.

96. It will be crucial to ensure that teachers and SENCOs are consulted and actively involved in the development of ISPs. Consultation and engagement need to be extensive, not simply involving those with a particular interest or expertise in SEND and inclusion. This needs to include teachers and SENCOs working in schools in different contexts, e.g. different phases such as primary and secondary, different locations such as rural and urban, and different profiles such as schools serving advantaged and disadvantaged communities. It will also be important to undertake workload impact assessments as the ISP framework is developed, trialled and tested. Evidence from these assessments should inform the development of the ISP.

Q17: How can we best support transition for young people with SEND, so that they are well supported into post-16 provision and further education, training or employment?

97. This will depend on the learner and the nature of their needs, but factors which are key to effective transition include clear communication and sharing of information across settings, timely sharing of information about needs with

opportunities for the receiving provider or setting to seek further information, and engaging the young person in decision-making processes. This has implications for the workload of staff in the current school or setting and in the receiving provision. The reforms need to mitigate these burdens, for instance by ensuring that the resources are in place so that staff have the time to share information and work collaboratively. It will also be important to examine how digital technologies might support more communication and sharing of information. However, evaluation of the use of digital technologies will need to consider issues such as universal access to technologies as well as issues relating to data security and workload. For example, the proposals refer to ISPs as a living product that may be updated to reflect changes and needs. This is likely to have implications for class teachers who may need to respond to changes made to the ISP. There is a need to consider the practicalities of this in schools and settings, including whether teachers (and other relevant staff) have immediate access to updated information and whether this information can be used easily and manageably. It will be important to identify and seek to understand the barriers to effective working and not simply to focus on 'what works'.

98. NASUWT members have also highlighted the need for clearer pathways beyond school, including post-16 and post-19 options. For some young people, the focus may need to include preparation for adulthood, independent living, care and participation in the community, not only education, training or employment.

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?

99. We welcome the ambition that children and young people with SEND should have their needs met locally and recognise that Inclusion Bases may have an important role to play in delivering this ambition.
100. We note the distinction between Inclusion Bases (Support) and Inclusion Bases (Specialist), with the former being commissioned and funded by the mainstream school and targeting learners in the Targeted layer who would ordinarily be educated in mainstream schools, and the latter being commissioned and funded

by the local authority for those learners who have an EHCP and require more specialist support.

101. NASUWT believes that all learners have a right to a high quality education that meets their needs, and that for some learners, a special school or setting will be best placed to meet their needs. We are concerned that the Government appears to be pressurising local authorities to prioritise establishing Inclusion Bases (specialist) in mainstream schools rather than establishing additional special schools. We are concerned that decisions about where a learner is placed will not be based on what is most appropriate for the learner but on managing demand and reducing spending.

102. Lack of clarity regarding terminology such as 'complex' and 'most complex' means that the boundary between the targeted and specialist layers is unclear. This means that there is a serious risk that learners who would benefit from being educated in specialist provision such as a special school or an Inclusion Base (Specialist) will be educated in mainstream schools.

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

103. It isn't clear from the proposals whether the expectation that 'every secondary school will have an Inclusion Base, with an equivalent number of places in local primary schools' is referring to 'Specialist' Bases or 'Support' Bases. We assume that the expectation is referring to 'Support' Bases.

104. In our response to the previous question, we expressed concern that the boundary between Targeted and Specialist is unclear and that this could mean that learners who would benefit from high levels of support in a Specialist Inclusion Base or a Special school are educated in a mainstream school because funding determines what will be provided. This is especially likely to happen in a system that is insufficiently resourced. Additional funding must be provided to encourage the focus to be on provision that meets needs.

105. We have concerns that Inclusion Bases (Support) will be expected to cater for diverse and potentially conflicting needs. It isn't clear from the proposals whether mainstream schools are actually being expected to provide multiple Bases to address differing needs. We draw from evidence from schools that have effective internal Alternative Provision. This highlights the importance of provision being very clearly focused on addressing the specific needs of the learner, of clear plans and pathways for reintegration, and of having dedicated high-quality staff and space for the Base. Additional funding and resources are needed if all secondary schools and groups of primary schools are to establish effective Inclusion Bases.

106. Inclusion Bases should only be expanded where there is additional, ring-fenced funding, appropriate staffing and specialist expertise. Consideration of expansion must also include an assessment of suitable space, clear admission and exit criteria and agreement that the provision is appropriate for the individual child or young person. Inclusion bases must not become a way of placing children with complex needs in mainstream settings without the support required.

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?

107. We believe that the Experts at Hand offer must provide support at all levels of need, including Universal provision. We would anticipate that Expert support at this level would be focused on supporting school staff to establish and implement inclusive strategies that work for all learners but which address the needs of learners who have SEND. We would anticipate Experts playing a greater role at the Targeted layer. While support for individual learners is most likely to be appropriate for learners at Targeted +, we believe that it will be important to avoid restricting access to such support to learners at Targeted level as there may be occasions when individual learners or small groups of learners would benefit from such support. Therefore, we believe that guidance should clarify that learners at the Targeted layer should be able to access support from a specialist to meet

their individual needs, but that the distinction between Targeted and Targeted + would be that such support would be more widely available at Targeted+. The key principle underlying our position is that there is a need for flexibility and the focus must be on addressing the learner's needs.

108. While we welcome the ambition to create additional specialist posts such as Educational Psychologists and Speech Therapists and for Experts to support early intervention including through support for learners at the Targeted layer, we have serious concerns that insufficient numbers of specialists will be recruited to fulfil the roles. Currently, there are huge challenges recruiting and retaining specialists such as Educational Psychologists, and Speech and Language Therapists. We do not see evidence that the reforms will address this crisis or that sufficient additional numbers of specialists can be trained and recruited in the near future. This places burdens on teachers and other staff in schools and settings which are both inappropriate and unsustainable.

109. The Experts at Hand programme is likely to draw on the expertise of teachers and other staff working in special schools and other specialist settings. While we welcome collaborative practice and cooperation across mainstream and specialist settings in principle, we have concerns that teachers and staff in specialist schools and settings may be asked to undertake responsibilities which place additional burdens on their time and that of their school or setting. Special schools and settings must be given additional resources if staff are expected to fulfil such roles. However, it is also important to recognise the different contexts meaning that the nature of support provided to learners in special schools and settings may be very different from that provided in mainstream schools. Staff from specialist settings may not necessarily have the relevant experience and expertise to provide mainstream schools with the support that they need. Specialist settings must not be expected to provide outreach or expert support at the expense of the children and young people they already educate. Any outreach role must be separately funded and staffed.

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?

110. We recognise that there are particular challenges in providing the appropriate provision for children and young people who have highly complex needs but where the incidence of these needs is low. This has implications for what can be provided locally. We believe that there should be emphasis on collaboration and joint commissioning of such specialist provision across areas. The reforms should set out the architecture to enable this to happen. There should be regional or sub-regional planning and commissioning arrangements for low-incidence, highly complex needs, supported by clear national expectations. This should include maintaining and developing specialist provision, ensuring access to specialist staff and therapies and avoiding inappropriate placement in mainstream settings where needs cannot be met. Decisions must be based on individual need, not on the availability or cost of local provision.

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

111. We have significant concerns about the SPPs. The consultation document lacks detail and the relationship between SPPs, EHCPs and ISPs, including how decisions at different levels should be made, remains unclear. This and the lack of clarity regarding terms such as 'complex', 'most complex' and 'inclusion' compounds our concerns. There is a very significant risk that SPPs could be used to restrict access to support and provision or to gate keep access to support and provision.

112. We note that SPPs will be nationally defined and based on evidence about the interventions, resources and standards required to support children and young people with particular needs. However, many learners with complex needs will require support that draws from several packages. We have significant concerns

that the way in which the SPPs are being designed will mean that the nuances and interactions between different need areas will be overlooked.

113. The consultation document states that a national panel of experts will develop the SPPs and that the packages will define the interventions, resources and standards required. We do not have information about who the experts are, but are concerned about the approach of developing interventions, resources and expectations without genuine understanding of the realities of life in the classroom and the challenges that schools are facing. We believe that it is essential that any interventions, resources and standards are developed with classroom practitioners and SENCOs.

114. We do not believe it would be appropriate for SPPs to be used to determine an individual learner's access to support. Using SPPs in this way would risk them being used to gate-keep or restrict access to provision and support. We believe that it may be appropriate to develop SPPs that can be used to plan and commission provision.

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?

115. This links to our response to the previous question where we raised significant concerns about the SPPs. We raised concern about how those packages might be used as well as concerns about the process for developing the packages. We stated that we did not think it appropriate for SPPs to be used to determine an individual learner's access to support but that it might be appropriate for SPPs to be used to plan and commission provision.

116. We have serious concerns that this question is suggesting that SPPs will be used to determine a learner's entitlement to support. We oppose SPPs being used in this way, particularly given the severe underfunding of the education system and wider public services, including those that support children and young people with SEND. SPPs are likely to be used to gate-keep and restrict access to support.

The vagueness of terminology such as ‘complex’ and ‘most complex’ increases this risk. The result will be that more learners fail to get their needs met and that unacceptable and unsustainable demands will be made of teachers, SENCOs, leaders and other frontline staff.

117. While the consultation document explains that ISPs will set out the day-to-day education provision that a learner with SEND will receive and the EHCP will outline the specialist provision that the learner needs, in practice this distinction between the two is unclear. It is also unclear how ISPs will interact with EHCPs. This lack of clarity risks creating workload and bureaucracy burdens.

118. We have concerns about the proposal to retain the term ‘EHCP’ while making substantial changes to its intended purpose and function. This would risk creating confusion between purposes and rights set out in EHCPs under the current system and purpose and rights set out in EHCPs under the proposed system. We recommend that if statutory frameworks of rights are to be restructured, then the terms used in them would need to be changed so that confusion could be avoided.

119. However, NASUWT members are also concerned that the use of the term ‘EHCP’ in the proposals is being used to obscure the very different purposes of the new EHCP, including an erosion of individual rights. For instance there are concerns about the proposal that EHCPs should be updated if needed at each key stage review, rather than annually. This appears to assume that needs will not change.

120. While EHCPs address education, health and care needs, members tell us that they often experience significant difficulties accessing support from services provided by health and social care. While these difficulties arise in part because of staff shortages and demands on services, services are often reluctant to cover the costs of providing health support. There must be greater clarity about who is responsible for covering costs and greater accountability to ensure that health and social care fulfil their responsibilities.

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?

121. A more direct route for children under five with complex needs may be beneficial if it enables earlier support. However, it must not be restricted by narrow or unclear definitions of complexity. Decisions should be based on multi-disciplinary assessment, professional evidence, parental input and the child's observed needs across settings. The route must be properly funded and should not become a gatekeeping mechanism.

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

122. Needs assessment should consider evidence from parents, early years settings, schools, SENCOs, teachers, educational psychologists, health professionals, therapists and social care where relevant. It should consider the child's needs across education, health and care, including communication, sensory, physical, social, emotional and mental health needs and the support required to enable participation and progress.

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?

123. In principle, we support a change in the law so that an LA is not required to name a school or setting in an EHCP where the school or setting is already full or where this would have a seriously detrimental effect on children or young people already in the setting. However, we have concerns that this could be used to gate-keep and limit parents' choice. It will be important to ensure that measures are in place so that this does not happen.

124. We support the proposal to clarify that incompatibility with the efficient use of resources must include evidence about the effectiveness of provision, value for money and fairness. A significant proportion of the high needs budget is spent on very expensive independent special school provision with an average figure of £61,500 compared to £23,900 in the state funded sector.¹⁹ We acknowledge the proposal that this might include requiring the local authority to consider overall value for money and the impact of making a single higher cost placement on the ability to meet the needs of all children and young people in an area. It is important to consider the wider impacts of funding high cost needs. However, it will also be important to ensure that this is not used to deny learners with the most complex needs access to the support that they need.

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

125. Parents need clear, accessible and balanced information about the provision available in each setting, including staffing, specialist expertise, therapies, accessibility, curriculum, pastoral support and transition arrangements. They also need honest information about whether a setting has the capacity and resources to meet their child's needs. Advice must be independent and parents should not be steered towards settings simply because they are cheaper or locally available.

126. NASUWT believes that there is significant potential in supporting the development of local SEND Information, Advice and Support (SENDIAS) services. These bodies have a statutory duty to provide guidance for parents on navigating the SEND system and for developing constructive collaborative relationships between schools. With the provision of sufficient resources, they are able to ensure that settings and parents can establish and sustain common understandings about the needs of children and how these needs can best be met. They are able to address misunderstandings that can arise in these relationships and minimise the risk that they become excessively adversarial in character.

¹⁹ NASUWT (2025) Where Has all the Money Gone? Available at: [Where Has All the Money Gone? 2025](#)

127. It is regrettable that investment in these services has declined since 2010 and that many SENDIAS services are no longer able to focus to the extent they did previously on building and retaining positive relationships between settings and parents. NASUWT believes that a relatively modest investment in SENDIAS services would make a substantial contribution to efforts to improving these relationships across the SEND system.

Q28. What do you think is the right maximum length of time for a temporary placement in Alternative Provision (AP) schools? Please explain your rationale.

128. We acknowledge that the question is seeking to address issues where a child or young person is placed in AP and then remains there with no clear plan for reintegration back to their mainstream school. While it may be appropriate to establish a time period which might be used to raise questions about the length of time that a child or young person has been in AP, it would be most appropriate to use standards and guidance that explain what effective practice should look like. The AP Standards may help to do this if they are accompanied by guidance. In terms of an appropriate time period for a temporary placement these might highlight the need to establish the purpose of the placement and the expected time period at the start of placement and for the mainstream school and AP provider to work together to do this.

Q29. We have set out our plans to regulate the 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.

129. We support the DfE's plans to regulate the Independent Special School sector. We believe that it will be important to align the admission duties for the independent special school sector with those for other special schools. We also agree with the proposal that the ISS should be required to report on costs to the commissioning local authorities. Further, we agree that the Secretary of State

should have the power to refuse the expansion of new independent special schools where there is limited evidence of demand from commissioning LAs.

130. We are aware that some independent special school providers are abusing the current system by targeting parents and encouraging them to name their school. The proposals should help to address this practice.

131. We have concerns that while some independent providers charge huge sums of money for a child to attend the school or setting, staff working in those schools or settings are often very poorly paid and experience poor working conditions. Reporting mechanisms to commissioning authorities about costs should include information about staff pay and working conditions. Profits made by companies running independent special schools should be clearly visible.

132. We have raised concerns about the purpose of SPPs and have said that we do not think they should be used to determine provision that a learner with 'complex' SEND should receive. We have indicated that there may be value in SPPs being used to plan and commission provision. They may have a useful role to play in guiding decisions about commissioning provision from independent special schools.

133. While we have significant concerns about banded funding including the risk that bands will be used to manage costs rather than recognise levels of need, we do think that bands have a role to play in helping to align costs of provision in the independent sector with that of the state funded sector.

134. There is a 'risk' that limiting the profits that independent special school providers can make will result in private providers pulling out of the sector. Where such risks are identified, government should exercise powers to bring such settings into the more cost-effective state sector to ensure that the skills and expertise of their staff are not lost to the wider SEND system. In any circumstances, this risk does not justify allowing independent providers to continue to charge huge fees nor allowing them to operate outside the controls and standards that apply to the state sector.

135. Regulation of the independent sector should sit alongside a long-term strategy to rebuild and expand state-funded specialist and alternative provision, so that public money builds sustainable public capacity rather than increasing reliance on high-cost private placements.

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

136. We have significant concerns about funding. Existing funding fails to cover the actual costs of meeting the needs of learners who have SEND. Against a backdrop of increasing high needs deficits, the additional funding that the Government has provided goes some way to covering the funding that is needed to maintain existing entitlements. However, it does not cover the costs of delivering a reformed system, including the additional costs of maintaining two systems through a period of transition. We are concerned that the Government has no meaningful understanding of the actual cost of funding inclusion in a mainstream school or setting.

137. We welcome the additional funding of £1.6 billion over three years being given to schools, colleges and early years provision to support a more inclusive mainstream system. However, this will not be sufficient.

138. We have concerns about the proposal that schools should publish an Inclusion Strategy report that covers how they are deploying resources for SEND. This appears to be adding another layer of bureaucracy. It is also likely to create confusion with other strategies and plans such as the requirement on schools to produce an accessibility plan.

139. If mainstream schools are to be more inclusive then they need to embed equality and inclusion across all policies and strategies. It would be more appropriate to make the school's development or improvement plan the vehicle for embedding inclusion and inclusive practice and for guidance to clarify the ways in which this should be done.

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

140. We agree that mainstream schools should have more money in their budget to meet the needs of learners with SEND. This is essential if mainstream schools are to meet the needs of more learners with SEND. However, this must be new and additional money. It must not be about taking money from the high needs budget to fund early intervention and assuming that less money will be needed for higher levels of support.
141. We are extremely concerned that the proposals do not address the real costs of meeting the needs of learners with SEND. There is a significant risk that schools will be held accountable for delivering what is not sustainable, particularly as the reforms appear to suggest that the vast majority of learners who currently have an EHCP will have their needs met at the Targeted/Targeted+ layer. Schools will be at the frontline.
142. The reality for teachers in mainstream schools is that they have more learners with SEND in their classes and the needs of those learners are becoming more complex. Class sizes have not got smaller. Support staff posts have been cut. Teachers struggle to access support. They do not see evidence in the proposals that these issues will be tackled, only that more demands will be placed on them.
143. We repeat our concern that there is no realistic understanding of the actual costs for mainstream schools of being inclusive. This evidence is crucial if the reforms are to succeed.
144. There is a risk that placing more SEND funding directly in mainstream budgets could create perverse incentives. Some schools may receive additional funding while limiting admission of pupils with higher-cost needs, while other schools may become 'magnet' schools serving disproportionate numbers of pupils with SEND without sufficient additional resource.

145. The Government should also avoid using low prior attainment as a proxy for SEND. Some learners with SEND are high attaining, while some low-attaining learners may not have SEND. Funding mechanisms must therefore be based on a more accurate assessment of need.

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?

146. We recognise that there may be benefits of schools pooling funding. For instance, economies of scale may make it easier to commission services and support across the schools. It also has the potential to support collaboration and sharing of practice across schools.

147. However, it isn't clear whether the question is asking about all schools joining a MAT and for funding to be pooled at MAT level or whether it is asking whether schools in a local area should pool funds. In this latter scenario, schools might be in MATs or they could be local authority maintained schools.

148. NASUWT does not accept that collaboration on SEND requires all schools to join or form academy trusts. Local collaboration should be possible across maintained schools, academies and specialist settings without imposing a single structural model.

149. NASUWT believes that there is a need for cooperation and collaboration at local area level and this would mean that pooling of funds from local schools, including schools in (different) MATs might be acceptable. However, a number of issues would need to be addressed if pooled funding is to work. For instance, schools would need to see the benefits of pooling funding. There would also be a need to establish and maintain a local infrastructure for pooled funding. This has implications for staffing and potentially for workload.

150. Our biggest concern is that pooled funding could be a mechanism for requiring schools to make tough decisions about provision where funding is insufficient.

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

151. Disagreements should be resolved through transparent local arrangements with clear escalation routes, independent oversight and involvement of relevant professionals. Dispute resolution must not leave schools to make rationing decisions where funding is insufficient.

Q34: How can we ensure the most effective use of these local partnership groups?

152. Local partnership groups will only be effective if they have clear powers, adequate funding, and access to specialist expertise and meaningful involvement from schools, SENCOs, teachers, families, local authorities, health and social care. They must not become another meeting structure without the authority or resources to secure provision.

Q35. Which stakeholders are important for the success of local partnership groups, and why?

153. Key stakeholders include children and young people, parents and carers, teachers, SENCOs, school and college leaders, support staff, local authorities, health services, social care, specialist providers, AP providers and unions representing the workforce. The workforce must be included because reforms will depend on what can be delivered in practice.

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

154. Local SEND strategic plans should be based on a clear assessment of need, provision, workforce capacity, specialist services and projected demand. They should include transparent plans for funding, commissioning, workforce development and accountability across education, health and care.

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

155. Information, advice and guidance should be accessible, independent, accurate and locally specific. Specific proposals in relation to SENDIAS services are set out above. These services should help families understand rights, processes, available provision and routes for challenge. However, advice alone will not create fairness unless provision and support are actually available.

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.

156. Yes. A SEND specialist should sit on a school complaint panel where the complaint relates to SEND support and provision. However, this should not usually be the school's SENCO if they have been directly involved in the case as this could create a conflict of interest and add to workload. Schools may need access to external SEND expertise to support fair and informed complaint handling. Any additional responsibilities given to SENCOs in this regard should be subject to workload impact assessment and contribute to, rather than detract from, efforts to make discharging SENCO duties more manageable.

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?

157. NASUWT's central concern is that the proposals have not yet demonstrated how reform will be funded, staffed and delivered in practice. We support the ambition of earlier intervention, greater consistency and improved inclusion, but these aims will not be achieved if reform reduces statutory entitlement, shifts responsibility onto schools, or relies on teacher and SENCO goodwill. The

Government should not proceed without a full costed implementation plan, clear protection of legal rights, meaningful workforce engagement and evidence that the proposals can be delivered without worsening workload, recruitment and retention pressures.

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