

## THE IMPACT OF THE SEND REFORMS

WHAT DIFFERENCE HAS BEEN MADE?



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## FOREWORD

The purpose of this paper is to provide a view of the impact of the recent Special Educational Needs and Disability (SEND) reforms and to prompt consideration of what needs to happen next in further improving outcomes for affected children, young people and their families. SEND support and services matter a great deal and have the potential to greatly impact the lives of the children, young people and families that receive them. This paper highlights areas of progress as well as the stubbornness of some barriers to improving experiences.

The SEND reforms set out in the Children and Families Act 2014 (the 2014 Act) sought to introduce a more holistic, person-centred and collaborative approach to supporting children and young people with SEND. The reforms followed the 2011 Green Paper – *Support and Aspiration* – which set out proposals to reduce the complexity and often adversarial nature of the existing support system for families with children with SEND. One of the main vehicles for achieving this transformation was the replacement of Statements of SEN and Learning Difficulty Assessments (LDAs) with Education, Health and Care (EHC) needs assessments and plans.

The 2014 Act (which became Law in September 2014) granted local authorities a transition period until April 2018, by which time children and young people with Statements of SEN and LDAs will need to be transferred over to an EHC plan, where they meet the new criteria. As this transition period draws to a close, this paper considers the difference the SEND reforms have made and the extent to which the intended impacts have been achieved.

Our analysis suggests that progress has been (at best) mixed. It is beyond the scope of the paper to understand why the high aspirations set out in the reforms appear not to have been delivered, but we hope the paper will prompt further consideration, both locally and nationally about what needs to happen next.

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### THE VIEWPOINT SERIES

The Viewpoint series is a series of ‘thought piece’ publications produced by SQW and Oxford Innovation, the operating divisions of SQW Group.

The aim of the Viewpoint series is to share our thoughts on key topical issues in the arena of sustainable economic and social development, public policy, innovation and enterprise with our clients, partners and others with an interest in the particular subject area of each paper. In each Viewpoint, we will draw on our policy research and implementation experience to consider key topical issues, and provide suggestions for strategic and practical solutions.



## Introduction

The Children and Families Act 2014 and the accompanying Code of Practice<sup>1</sup> sought to improve the system of support for young people with special educational needs and disabilities (SEND) and their families. They followed a Green Paper, which explained that while there were many good examples overall, the system was too “bureaucratic, bewildering and adversarial and that it does not sufficiently reflect the needs of their child and their family life”<sup>2</sup>. The Green Paper argued that the case for change was clear and identified key areas for improvement. These should underpinned by:

- A new single assessment process and an Education, Health and Care (EHC) Plan to replace the statutory SEN assessment and statement, bringing together the support on which children and their families rely across education, health and social care
- Local authorities and other services setting out a local offer of all services available
- The option of a personal budget for all families with children with a statement of SEN or an EHC Plan.

The changes were informed by an evaluation of the SEND Pathfinder programme conducted by SQW. The 30 Pathfinders, covering 31 local authorities, tested new delivery approaches. It included baseline data from 1,000 families who had experienced the old SEN system alongside almost 700 families who experienced the new system and gained an EHC Plan. The evaluation concluded that:

*the process has improved for families, often in ways that are statistically significant. Where it has happened, the scale of improvement has been incremental. The data around improved outcomes for families is much less conclusive at this point.*<sup>3</sup>

In 2017, the Department for Education published new evidence on parents’ and young peoples’ reactions to the new system.<sup>4</sup> This paper looks at how reactions reported now (from the new evidence) compare to our earlier findings, to provide an assessment of how far the new approach has delivered the high aspirations it set out to meet. It also draws on qualitative findings from the recent Ofsted and Care Quality Commission report<sup>5</sup> (referred to as the *one year on report* hereafter), which provides a summary of the first 30 local area SEND inspections.

As ever when comparing different surveys, some care must be taken, noting that different samples were used and different questions asked. However, the three surveys (DfE 2017 and SQW Pathfinder surveys) are all of sufficient size to have some robustness and in reporting the data we have sought to focus only on those areas where the questions appear most similar.

<sup>1</sup> Department for Education and Department for Health (2015) Special educational needs and disability code of practice: 0 to 25 years.

<sup>2</sup> Department for Education (2011) Support and aspiration: A new approach to special educational needs and disability, A consultation

<sup>3</sup> Thom et al (2015) Evaluation of the Special Educational Needs and Disability Pathfinder Programme Final Impact Research Report, Department for Education

<sup>4</sup> Adams et al. (2017) Experiences of Education, Health and Care plans A survey of parents and young people, Government Social Research

<sup>5</sup> Ofsted and the Care Quality Commission (2017) Local area SEND inspections: one year on

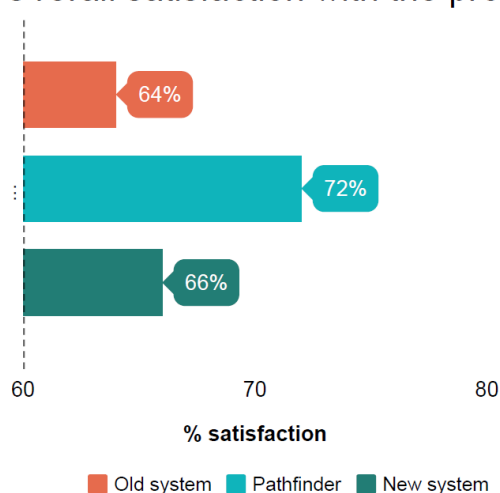
## Overall satisfaction

The original impetus for change came from the reported dissatisfaction of parents with the system and the outcomes that it delivered. However, **although a reduction in the level of dissatisfaction has been sustained following the Pathfinder, this has not been accompanied by an increase in overall satisfaction.** While the Pathfinder families reported an improvement on the comparison group, the latest figures show overall satisfaction falling back towards the levels generated by the old system (see Table 1). Given the expectations of the new system and resources invested to deliver it, the evidence is at best inconclusive and suggests that the reforms have not consistently delivered the change expected. This finding was reinforced in the *one year on* report, which found that ‘children and young people identified as needing SEND support had not benefitted from the implementation of the Code of Practice well enough’.

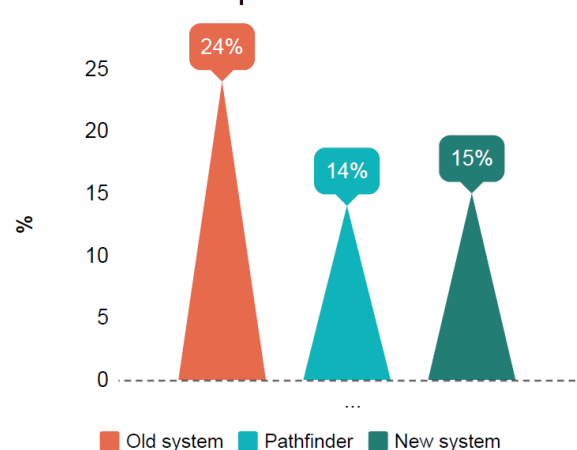
**Table 1: Overall satisfaction with the process (%)<sup>6</sup>**

	Old system <sup>7</sup>	Pathfinder <sup>8</sup>	New system <sup>9</sup>
Overall satisfaction	64	72	66
Very satisfied	26	33	24
(Fairly) satisfied	38	39	42
Neither	9	8	13
Overall dissatisfaction	24	14	15
(Fairly) dissatisfied	12	7	8
Dissatisfied	12	7	7

Overall satisfaction with the process



Overall dissatisfaction with the process



<sup>6</sup> The two questions asked covered: satisfaction with the processes and overall satisfaction with whole experience of getting EHC plan; with answers grouped as “very satisfied” and “fairly satisfied”, and “satisfied” and “satisfied” respectively.

<sup>7</sup> Figures reflect the results gathered from the ‘Matched comparison families’ from the Thom et al (2015) Evaluation of the Special Educational Needs and Disability Pathfinder Programme Final Impact Research Report, Department for Education

<sup>8</sup> Figures reflect the results gathered from the ‘Pathfinder families’ from the Thom et al (2015) Evaluation of the Special Educational Needs and Disability Pathfinder Programme Final Impact Research Report, Department for Education

<sup>9</sup> Figures reflect the results gathered from the families that participated in the Adams et al. (2017) Experiences of Education, Health and Care plans: A survey of parents and young people, Government Social Research

## Why such little change?

The three surveys suggest that while some elements have improved, others have not (as set out in Table 2). There were very mixed findings. A key expectation was that young people and their parents would have increased choice and control. It does appear that young people are more likely to have a say now than before, but parents report that overall, families' input is similar and so has not improved.

More encouraging was that parents appear to be finding the new processes straightforward. This had risen in the pathfinder, and this improvement appears to have been maintained. There were also indications that staff from different services were working better together and that parents had confidence in them. The *one year on* report supported this and went on to state, 'in the most effective local areas, strong strategic leadership had led to established joint working between education, health and care services'.

One area where progress appears to have been limited is the use of the local offer. This was intended to be a key part of the reforms, providing a way to make people aware of the range of services available and so lead to better support plans being developed drawing on the full range of resources. At the time of the pathfinders many local offers were still in development and so it was not surprising that awareness and use were quite limited. However, two years on it appears that while awareness may have risen (from around one quarter to over 40%), use has not. Indeed, reported use in the latest survey appears low at 14%. The *one year on report* also highlighted failings in relation to the local offer – 'local offers were not effective in helping parents to access information and services in over half of the local areas inspected'.

**Table 2: Changes in key variables**

	Old system	Pathfinder	New system
Young person had a say over the support they received	29	37	58
Extent to which families' views were taken in to account	73	84	75
EHC process was straightforward	40	52	50
Extent to which different services had worked together	33	45	77
Professionals delivering the service were knowledgeable and you had confidence that they can deliver the support necessary	62	68	82
Used the local offer <sup>10</sup>	13	12	14

<sup>10</sup> We would not have expected many of the comparator families to be aware of the Local Offer, as it was developed and delivered as part of the pathfinder programme. Comparator families may, in knowing about the local offer, have been reporting awareness of the (then) forthcoming changes.

## What next?

Overall the results suggest that various things that the reforms targeted have indeed improved. However, despite these improvements, overall satisfaction does not appear to have risen. This is despite the time and resources that have been invested to implement the new system. The lack of change could be because:

- The original expectations about what would be important in driving change were not right, e.g. improved awareness of support through the local offer may only be useful if the right support is available and Plans provide resources to access that support
- Some other factors have not improved, especially perhaps parental involvement, and it may be that these offset other improvements
- The market of service and support provision has been slow to adapt to the change from a supply-led to a demand-led model, e.g. the *one year on report* found that ‘access to therapy services was a weakness in half of the local areas inspected’ and ‘access to child and adolescent mental health services was poor in over a third of areas’.
- External changes, for example around resources available to implement the reforms, which were introduced during a time of austerity and influence satisfaction, have limited what can be achieved
- A ‘Pathfinder effect’ which artificially catalyses an initial improvement in experience and process amongst the few that receive the ‘new system’, but is not then sustained because the new approach cannot be effectively scaled up has occurred. This may have happened for a variety of reasons including: insufficient resources to deliver the require transformation; staff turnover which leads to a loss in momentum; rigidity of individual services that hampers effective multi-agency working and integrated commissioning; declining enthusiasm to deliver the transformation etc.
- While parts of the process have evolved, the outcomes generated for young people have not changed.

Unfortunately, the different nature of the questions asked around outcomes across the surveys mean that they cannot be compared and therefore are not considered in this paper. The latest survey relies on self-reported outcomes. A much less robust indicator than the original evaluation<sup>11</sup>. In light of the findings above, there must be some concern that in reality outcomes are little different.

Understanding how far any or each of the possible explanations set out above is correct would require more detailed consideration than is possible through simply comparing surveys. It would need some in-depth work in local areas. Gaining this type of understanding should be important to test if the original expectations have indeed been met.

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<sup>11</sup> The surveys of both the ‘pathfinder’ and ‘old system’ were undertaken via telephone interviewers and were therefore not self-reported. This form of survey has been shown to produce more representative results as the interviewers are able to explain each question, which provides the interviewee with a better understanding of what is being asked and produce a higher degree of consistency across the responses. They also included interviews with both families that had received an EHC Plan (the pathfinder group) and a comparator group (the old system), which together provides much more robust results than a survey with just those that have benefitted from an EHC Plan, as the latter is unable to take into account any changes in context that may have influenced the results

## Annex: Comparative questions

**Table 3: Comparative questions used to inform this paper**

	<b>SQW Survey<sup>12</sup></b>	<b>DfE Survey<sup>13</sup></b>
Young person had a say over the support they received	Extent to which parents agreed young person had a say over support <i>Strongly agree</i> <i>Tend to agree</i>	People made an effort to you/your child and understand you/their opinions <i>You were/your child was included in meetings</i> <i>You were/your child was asked if you/they wanted to take part in meetings</i>
Extent to which families' views were taken in to account	Extent to which parents agreed that families' views were taken in consideration <i>Strongly agree</i> <i>Tend to agree</i>	You/your child's and your family's personal needs and circumstances were taken into account in the process <i>Yes, most or all the time</i> <i>Yes, some of the time</i>
EHC process was straightforward	Extent to which parents agreed processes were straightforward <i>Strongly agree</i> <i>Tend to agree</i>	How easy/difficult was it for you/your child to start the process of getting the EHC plan <i>Easy</i> <i>Very easy</i>
Extent to which different services had worked together	Whether support planning had taken place jointly or separately <i>Jointly</i>	Different services (i.e education, health and care services) worked together to make the EHC plan <i>Yes, most or all the time</i> <i>Yes, some of the time</i>
Professionals delivering the service were knowledgeable and you had confidence that they can deliver the support necessary	Confidence in the ability of the main professionals to help the family get the support <i>Strongly agree</i> <i>Tend to agree</i>	The staff you were dealing with were knowledgeable about the process <i>Yes, most or all the time</i> <i>Yes, some of the time</i>
Used the local offer	Whether aware of the Local Offer <i>Have Looked at the local offer</i> <i>Have not looked at the local offer, but heard of it</i>	<i>Heard of The Local Offer</i> <i>Used the Local Offer</i>

## Contact

If you would like to discuss any aspect of this paper or how SQW can support you, please contact Meera Craston at [mcraston@sqw.co.uk](mailto:mcraston@sqw.co.uk) . Further details about the services SQW provides can be found at [www.sqw.co.uk](http://www.sqw.co.uk) .

<sup>12</sup> Thom et al (2015) Evaluation of the Special Educational Needs and Disability Pathfinder Programme Final Impact Research Report, Department for Education

<sup>13</sup> Adams et al. (2017) Experiences of Education, Health and Care plans A survey of parents and young people, Government Social Research