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## The Special Educational Needs Green Paper: a lost opportunity?

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### **Introduction**

In March 2011, the Coalition Government published a Green Paper entitled 'Support and Aspiration: a new approach to special educational needs and disability'. Unfortunately, while offering consultation, the Green Paper came with 'surplus baggage' of its own. Drawing on the Coalition's Programme for Government, it pledged to 'end the bias in favour of inclusion'. For parents who have struggled to get their children with special needs educated alongside their siblings and neighbours, this comes as a surprise. The Centre for Studies in Inclusive Education responded that

We know of no such bias; indeed many parents have told us that it has been difficult, if not impossible, for them to secure a place for their child in a mainstream school. ([www.csie.org.uk/consultations](http://www.csie.org.uk/consultations)).

There is no lack of ministerial interest in special needs according to an article in the *Times Educational Supplement* dated 17 September 2010. It suggested that this 'is a subject that is close to a number of members of the Coalition. The Prime Minister's eldest child Ivan had severe disabilities before his death last year, and Michael Gove's sister is deaf. But it is equally pertinent for Ms Teather, who spent the majority of her secondary school days in a wheelchair'. But welcome interest is not the same as balanced judgement. While the needs of children and young people with sensory and physical disabilities *do* need to be addressed more consistently and effectively, they form less than a tenth of those with special needs.

The Green Paper's flagship idea is to introduce a 'single assessment' for children with special educational needs (SEN) by 2014, 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'. A simplified interface could be attractive to the parents of a child with complex needs, so

there is a case worth considering and there is a model in the form of the Learning Difficulty Assessment (also called an LDA or S139A) which is normally carried out in Year 11 (15-16 year olds).

Unfortunately, the LDA process was already known to have practical shortcomings and in August 2011 Ofsted confirmed this finding that it had been completed as appropriate in only a third of cases studied.[1] The authors of 'Support and Aspiration' do not seem to have paid any attention to this known weakness and they offer no credible model for the implementation of single assessment.

Other proposals in 'Support and Aspiration' show a strong bias towards 'market' solutions for special needs support, including:

- *Personal budgets from 2014* – possibly useful in respect of personal care but unlikely to drive the development of specialised assistance and support.
- *Key Workers 'trained to advise families and help them navigate the range of help available'*. [2] It is unclear who would employ and train such staff.
- *A national banded funding framework for high-cost provision for children and young people with SEN or who are disabled*. A banded funding system exists for post-16 Independent Specialist Providers but has neither provided good value for money nor ensured high quality.
- *Allowing special Free Schools to provide places for children without statements*. [3]. If these children do not have statements and the funding associated with them, it is hard to see how this could work without parental contributions from those who could afford it.

### **The Current Position**

The term 'special educational needs' covers a wide – and changing – spectrum. Serious and rare conditions such as polio or rubella may have been overcome by medical advances but, by the same token, children may now survive with high support needs who would not previously have done so. Consistent with this, special schools report increased severity of need among their intake.

Special educational needs cannot be tackled successfully in isolation. To make a significant improvement in the experience of most children and young people with SEN, the following all need to be addressed.

- the current capacity, location and characteristics of school and college provision, which is often due more to historical accident than coherent planning;
- the funding for classroom support in special and mainstream schools and post-16 settings;
- education and professional development for staff, including not only teachers but also other classroom staff, educational psychologists and therapists.

Although the Department for Education (DfE) annually collects and publishes statistically-based information [4], there is little evidence that policy and

strategic planning have been based on it, and 'Support and Aspiration' follows the trend.

One side-effect of this is that attention is often drawn towards relatively uncommon needs. According to the DfE, in January 2010 there were 696,560 pupils with special needs in maintained primary, state-funded secondary and special schools (see Figure 2 for how this is distributed).

Only 60,940 (fewer than 9%) suffered from what the DfE categorised as Physical Disability, Hearing Impairment, Visual Impairment, Multi-Sensory Impairment or Profound & Multiple Learning Difficulty.

Perhaps counter-intuitively, the great majority of children and young people with special needs do *not* have SEN Statements and are categorised as having Moderate Learning Difficulties (MLD), Behavioural, Emotional and Social Difficulties (BESD), Speech, Language and Communications Needs (SLCN), Specific Learning Difficulty (SpLD) or are on the Autistic Spectrum (ASD).

One way to visualise how special needs are distributed in practice is to imagine a class of 30 pupils, all with special needs, as in Figure 1. There must be an implied criticism of a Green Paper on SEN that neither recognises this reality nor seeks to address the needs of 9 out of 10 cases.

### **The Impact of the Green Paper 'Support and Aspiration'**

The Green Paper points to a weakened role for local authorities in terms of planning and funding and makes it less likely that a fair, coherent and effective system will emerge within the next three to four years. Most worrying for many schools and parents, the Green Paper states its intention to 'tackle the practice of over-identification by replacing the current SEN identification levels of School Action and School Action Plus with a new single school-based SEN category for children whose needs exceed what is normally available in schools'. It seems very likely that the Government intends to shift resources away from the great majority of children and young people with special 'high-incidence' needs towards those with 'low-incidence' ones.

'Support and Aspiration' acknowledges that 'There is wide local variation in the proportion of pupils identified with SEN. The total proportion of pupils with SEN by local authority in January 2010 ranged from 11.9 per cent to 33.5 per cent'.<sup>[5]</sup> Yet it makes no suggestion as to why this should be or what a more accurate diagnosis might indicate. Perhaps the authors should have referred to the research conducted at Bath University by Harry Daniels and Jill Porter for the Cambridge Primary Review <sup>[6]</sup>, which showed that a child's chances of receiving extra help for a special educational need was dictated by geography, class, race and gender, rather than the nature of the learning difficulty. Middle-class children received better support more quickly, and powerful lobby groups, such as those for dyslexia and autism, received disproportionate levels of funding. There is nothing in 'Support and Aspiration'

that suggests the Coalition Government intends to do anything but reinforce this pattern.

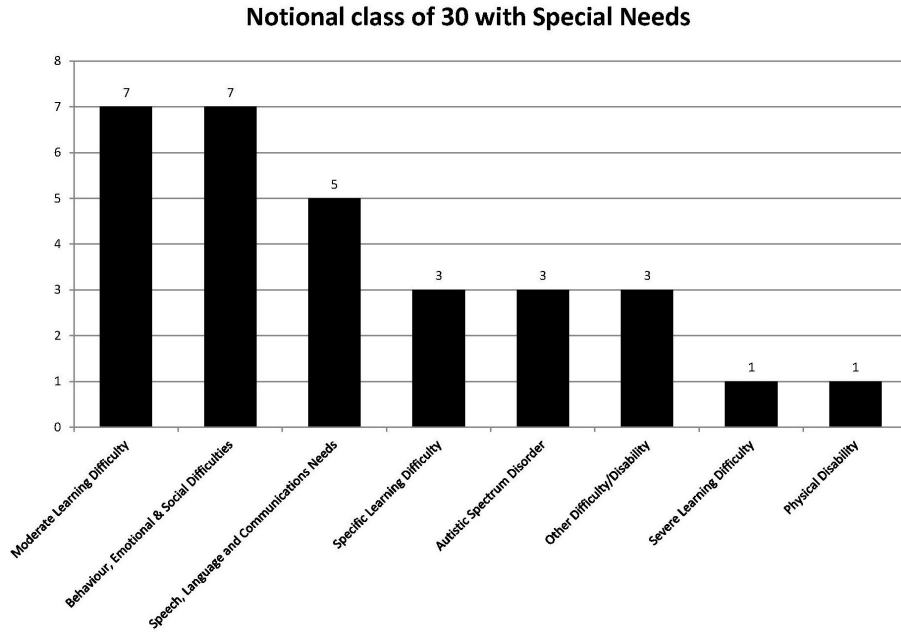


Figure 1.

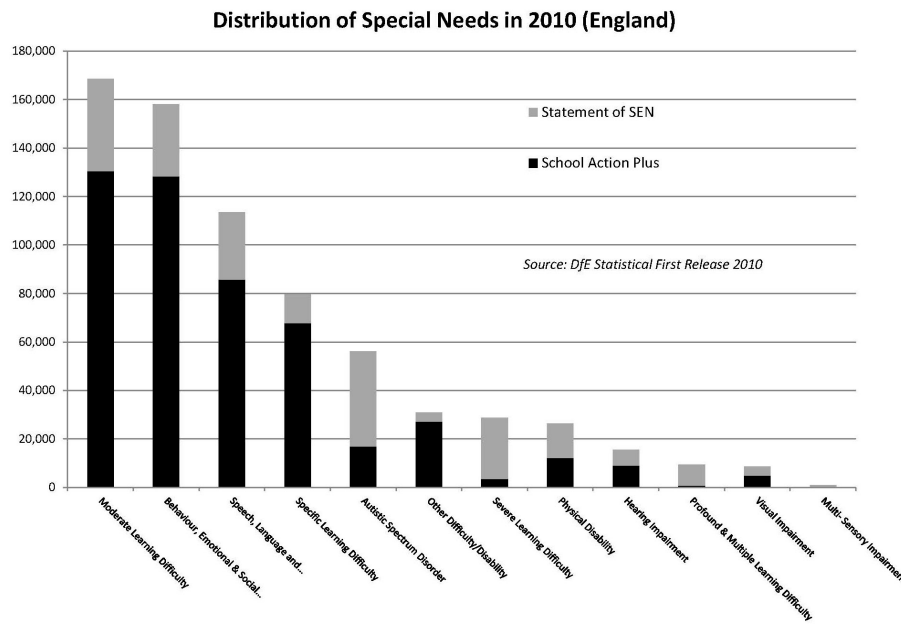


Figure 2.

## **The Opportunities Missed**

Education is not a field in which legislation is sparse, but SEN Green Papers are relatively rare. It is therefore deeply disappointing that an opportunity to take a really wide-ranging, open-minded look at special educational needs has been passed up. Here are some of the missed opportunities.

- Different issues and priorities prevail at each phase of education, i.e. early years, primary, secondary, post-16. 'Support and Aspiration' should have drawn out these distinctions and given a good account of their implications.
- If the Government accepts the principle that some young people will need support up to age 25, then it should also have accepted the challenge of developing and funding post-16 provision, particularly for those aged 19-25. This is critical because the great majority of young people with learning difficulties are already effectively excluded from local secondary schools' sixth forms by their entry requirements, which often exceed the official 5 A\*-C GCSEs standard. In practice, this leaves further education colleges to pick up the great bulk of such learners on lower rates of funding than schools as the small proportion of post-16 Special School provision is largely taken up by those with more severe learning difficulties.
- 'Support and Aspiration' acknowledges the markedly greater likelihood that young people with SEN and/or disabilities will be 'NEET', i.e. not in education, employment or training. Yet, despite this, the Green Paper shows no understanding of the importance of independent careers advice and guidance to this vulnerable group and the threat that reductions in the Connexions services present to them.

## **What is Really Needed Now**

1. Increase the effectiveness of initial training for teachers and classroom assistants in identifying and working with high-incidence special needs and their confidence in making further referrals.
2. Ensure that expert diagnosis and support are consistently and more readily available to schools across the country, taking advantage of current expertise within higher education and local authorities.
3. Reform the post-16 SEN Block Grant to local authorities, and require local authorities to devise a Plan for Special Needs Provision covering those residents who are entitled to support up to age 25. This should be reviewed not less than every three years and local authorities should be encouraged to work collaboratively within and across borders.

4. Provide a permanent funding stream for special needs beyond the age of 16, including provision for education, training and supported employment.

### Notes

- [1] Office for Standards in Education (2011) *Progression Post-16 for Learners with Learning Difficulties and/or Disabilities*. August. Reference 100232.  
<http://www.ofsted.gov.uk/resources/progression-post-16-for-learners-learning-difficulties-and-or-disabilities>
- [2] Executive summary, paragraph 6: 'the option of a personal budget by 2014 for all families with children with a statement of SEN or a new "Education, Health and Care Plan", many of whom will have complex support needs. Key workers will be trained to advise families and help them navigate the range of help available across health, education and social care'.
- [3] Question 30 of the consultation asks, 'What might the impact be of opening up the system to provide places for non-statemented children with SEN in special Free Schools?'
- [4] The authors of 'Support and Aspiration' had access to the DfE's report, *Children with Special Educational Needs 2010: an analysis* and its statistical tables.
- [5] Paragraph 28.
- [6] Harry Daniels & Jill Porter (2007) *Learning Needs and Difficulties among Children of Primary School Age: definition, identification, provision and issues*. Research Survey 5/2. For a revised version see the Cambridge Primary Review Research Surveys, ch. 9.

### Reference

- Department for Education (2011) *Support and Aspiration: a new approach to special educational needs and disability*. Green Paper.  
<https://www.education.gov.uk/publications/standard/publicationDetail/Page1/CM%208027>

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