



Autism Alliance – Response to SEND and AP Improvement Plan

March 2023

The Government has published its SEND and AP Improvement Plan. It is vital that the 0-25 education, health and care system can meet the needs of autistic children and young people, give them the best start in life, and prevent escalation of need towards crisis.

Some aspects of the Plan are positive:

- The focus on children and young people's achievements, talents and strengths;
- The commitment to co-production with children, young people and families;
- The commitment to produce new practice guides for the education workforce, including for autism;
- The focus on early support through early years provision;
- The focus on addressing the underlying drivers of change;
- The recognition of the importance of implementation and the proposed Change Programme.

However, taken together the reforms in the Plan do not seem likely to deliver the real change and improvement children, young people and families need and expect. There are too many gaps, too many risks, and no clear line from reform to impact.

Neither does the Plan address the suffering of children, young people and families now, as many of the reforms will not take effect until 2025 at the earliest.

The Autism Alliance has significant concerns about some of the specific reforms set out in the Plan, which we would like to see addressed as implementation moves forward.

Ensuring inclusion is a reality, not just an ambition

It is helpful to see the affirmation that a focus on inclusion in mainstream settings has positive impact on achievement both for children and young people with SEND, and for other children and young people; and the desire to avoid a drift away from inclusion in mainstream settings. However, achieving and maintaining an inclusive approach which is not eroded by an overarching focus on attainment, will require vigilance, as well as clarity and alignment of expectation across a range of players in the system: schools, local authorities, Ofsted and Government. As well as a whole school focus on SEND, it will be critical that the proposed National Standards, practice guides and revised SEND Code of Practice emphasise in the clearest possible terms inclusion and the need for flexibility in meeting the needs of individual children and young people.

Constraining provision rather than meeting needs

The proposed national approach to funding bands and tariffs needs very careful handling. There is a risk that it leads eventually to poorer rather than better value for money. Autistic children and young people's needs are not 'standardised', but hugely diverse, and change through time. A banding and tariff system that ended up constraining costs rather than enabling the right support to be put in place, would risk needs escalating and costs increasing. This could also risk the sustainability of some high quality specialist providers of SEND education and care, who are already facing considerable downward pressure on costs.

Similarly, the commitment to introduce a tailored list risks constraining the design of provision to the extent that it fails to meet the needs of some children with SEND. Genuine co-production of the criteria through which settings are selected and provision described, will be crucial. A tailored list could also have unintended consequences by sending a subtle cultural signal to schools and the workforce to 'deliver what is there and no more'. It would be wrong to constrain, or even prevent the ability of individual teachers to 'go the extra mile' for children and young people with SEND. The Plan is right to demand consistently high standards, but this must not lead to inflexible approaches.

Children and young people need change now

Although the vision for a reformed SEND system contains much that is positive, the Plan is not expected to deliver real change for years, with many reforms not expected to take effect until 2025 at the earliest.

Children, young people and families are suffering now because of the shortcomings in the current system. The Government should identify system-level changes that, if implemented now could have a substantial impact on outcomes for autistic children and young people and those with SEND: for example, ensuring a true implementation of the limiting judgement principle through Ofsted.

The importance of institutional accountability

Accountability is critical, and the paradigm of the institution means that accountability needs to be clearest and strongest for schools and other educational settings. Unclear or weak accountability is one of the biggest underlying drivers of poor outcomes for all more vulnerable people, particularly children and young people with SEND, and the Plan provides a major opportunity to get this right. Although it is important to ensure (through area based inspections) that the system is working well and effectively to support children and young people's needs, the Government should ensure that at the institutional level accountability is clear and strong, by directing Ofsted that SEND has to be a true limiting judgement and ensure this is implemented in inspections.

SEND at the heart of mission and workforce

The teaching workforce plays an absolutely central role in reform. Fundamentally, better experiences and outcomes for children with SEND will depend on the culture in schools and the values, behaviours and skills of teaching staff. Although the Plan sets out a range of new measures to equip the workforce to deliver reform, an approach to workforce skills and culture change which is not mandatory risks ineffectiveness in the long term. SEND is too important an issue for this.

The review of the ITT Core Content Framework and Early Career Framework is welcome. But any changes should be bold and in line with the Plan's vision. Autism-specific training should be part of ITT, as part of training in SEND. Within this, early identification of need is particularly important.

Practice guides and proposed support for school leaders are also welcome. But with a continuing focus on attainment and progression, there is a risk that SEND remains on the margin. The Government should be bolder and place SEND at the heart of the mission of every school. Inclusion and attainment can go together if the focus is on meeting the needs of individual children and young people. Every teacher should be a SEND teacher.

As part of this, there is a strong case for mandatory whole school autism training. Autism is sometimes difficult for professionals to recognise and acknowledge, leading to poorer outcomes and no or insufficient support. The Plan's proposals for better early support will help, as will NHS England's forthcoming framework for all-age autism assessment – but ensuring every adult working in a school has had training in autism is critical in ensuring no child is failed.

Ensuring children and young people's needs continue to be identified

The focus on ensuring the needs of children and young people with SEND are met within the mainstream settings is positive. In theory a reduced reliance on Education, Health and Care Plans would be a marker of a better system – but only if the system truly responds. It will be crucial to ensure that the commitment to reducing the number of EHCPs does not tip into an active depression of demand and a reluctance on behalf of professionals to identify or acknowledge need. This will need extremely careful implementation that strikes exactly the right balance, and as ever, the voices of children, young people and families will be critically important. There is also a risk that the proposed multi-agency advisory panels depress the voices of children and young people with SEND and their parents and reduce transparency in the system, even though this is not the intention.

Oversight of local decision-making

Partnership working at a local level to plan and manage the commissioning of SEND provision is important, and will need genuine co-production with parents, carers, children and young people as the Plan recognises. However, this local system of decision-making needs oversight, particularly as it will be introduced alongside a wide range of other reforms. As well as local data collection and assessment of demand, there should be a clear national data model for SEND, to understand the demand for SEND provision at the national level and to provide a benchmark for assessing the performance of local SEND and AP partnerships in identifying and responding to demand.

Ensuring children and young people's needs are met

We acknowledge the focus of the Plan on increasing the positive experience of children, young people and families across the SEND system. But language is extremely important, and some of the headline terms used throughout the Plan – particularly 'standardised' and 'consistent' – also carry risk, as in themselves these terms don't reflect the reality that every child's needs are different. As the Plan says, standardised paperwork should not result in standardised provision, and this should be a point of vigilance through the implementation of the Change Programme.

Equally, the Autism Alliance recognises the importance of achieving financial sustainability across the SEND system, but it will be vital to ensure this does not mitigate against a truly personalised approach to

education, care and support that works for every child. To inform the Change Programme, condition the work of local SEND and AP partnerships, and give greater confidence in the Government's plans for new special schools, there should be a national assessment of anticipated need for SEND provision against planned funding, with transparency around the gap between these. This should be the same as the analysis of demand for specialist workforce roles carried out by DfE, DHSC, NHSE and HEE.

The risks of mandatory mediation

The proposal to pursue mandatory mediation carries considerable risk. It may lead to delays in children and young people with SEND receiving the right support, and may not necessarily deliver the best outcome for a child. It will be vital to consult fully and openly with families, with transparency about what has been said, before deciding on the way forward.

The importance of true co-production

As an overarching consideration, ensuring that the development of National Standards is based on true co-production, and not superficial engagement, should be a top priority for implementation. At every stage, the Change Programme should assess the extent to which this is true at all levels in the system, and bear down on examples of poor practice. It is not immediately clear in the Plan how this will be achieved, and there is always a risk that new governance soaks up energy that could be focused on elevating the voices of those the system is designed to serve.

Outcomes at the heart of reform

Ultimately, the success of this policy will be judged on the outcomes it enables for those who are served by the SEND system, and its impact on reducing inequalities for children, young people and families.

Autistic children and young people face significant and sometimes overwhelming barriers in getting the best start in life, and putting their lives and the outcomes they experience at the heart of design, implementation and evaluation is fundamental to achieving success. To support this, as part of reforms to accountability it will be critical that the right performance metrics are agreed at a national level, with timely and robust data collection. The Autism Alliance is ready to support and advise the Government as these metrics are developed. It is striking that better outcomes and reduced inequalities do not feature directly in the measures of success for the Plan, and the Government should consider addressing this.

Continuous assessment of progress

The Autism Alliance notes the importance of the reforms in the Plan being implemented together, as incentives and requirements must be aligned. However, it will be important to monitor closely the impact of each stage of reform on experiences and outcomes for children, young people and families, to ensure that unintended negative outcomes are identified and addressed.

It is vital that this programme of reform delivers real change for autistic children, young people and their families. It is a once in a generation opportunity to do the right thing. Government must work in partnership with all stakeholders across the system as reforms are planned, tested and implemented, and the Autism Alliance looks forward to working with the Department for Education and other parts of Government as the Improvement Plan is taken forward.