

[HMCI commentary: putting children and young people with SEND at the heart of our recovery plans](#)

A challenging time for children and young people with SEND

Today, we are publishing [research that shows that children and young people with special educational needs and/or disabilities \(SEND\) have been disproportionately affected by the pandemic](#). We knew this was likely at the start of the first lockdown, but I'm sure that you, like me, will be moved by the stories that children, parents and carers have told us about the impact of the pandemic on them.

Our visits to 10 local areas, carried out with the Care Quality Commission (CQC), have shown the cumulative effects of the disruption caused by the pandemic on the health, learning and development of children with SEND. Children and families told us about missed and narrowed education, the absence of essential services (such as physiotherapy or speech and language support) and long waiting times for assessment and treatment. They told us about the problems this caused and the challenges they have faced. By our final visits in the spring, many families were exhausted, even despairing, particularly when they were still unable to access essential services for their children.

As restrictions ease and children and young people transition back into routine education, I hope the pressure on families will also begin to lift. However, I recognise that many more children and young people with SEND are now even further behind their peers because of the pandemic. Others are at risk of being wrongly labelled as having SEND simply because they are struggling following extended periods away from their education setting. There is also a greater risk that some children and young people, especially those in the early years, may have new or different needs that have not been identified because they have not been 'in sight' of education, health and care professionals.

This will undoubtedly put further strain on a system that is already under pressure.

A fragile SEND system before the pandemic

Local area leaders and practitioners working with children and young people with SEND have also had a tough year. Many have gone above and beyond to support children and their families. They have worked under extreme pressures and changing guidance. However, our report shows that local area SEND systems faced challenges before the pandemic, and the disruption in the last year has exacerbated these challenges further.

Our inspection reports, and a range of other sources, showed weaknesses in the SEND system across the country before March 2020. These weaknesses included:

- not enough focus on providing a high-quality education for all children and young people, which creates a problem of children mistakenly being identified as having SEND. This is because they have not been taught or had enough time to learn the essential knowledge and skills they need
- significant inconsistencies in how SEND is identified, meaning that the needs of vulnerable children and young people are less likely to be identified in a timely or accurate way
- weaknesses in joint commissioning and services working together across education, health and care
- a lack of clarity between organisations about who is responsible and accountable within local area SEND systems

These weaknesses can leave some children reliant on teaching assistants, and the most vulnerable children at risk of 'falling through the cracks' and not receiving the services they need. Those who have multiple vulnerabilities, such as children with SEND who are also in care, are particularly likely to be affected by a lack of effective joint working between education, health and social care providers.

Putting children and young people with SEND at the heart of the government's recovery agenda

Given this context, I was pleased to see the government recognise the need to improve the way the SEND system works when it [launched its SEND review in 2019](#). The review has been unavoidably delayed by the pandemic, but it will be no less important when it is published.

I hope the review will recognise that real change for children and young people with SEND will come from high aspirations, strong universal services, effective identification of needs, and high-quality support delivered by a well-trained workforce.

To make changes at a local level, local area leaders will need to support practitioners by understanding the needs of children in their area, defining local roles and responsibilities clearly, commissioning the right services, and managing waiting lists and backlogs effectively. Maintaining strong lines of communication with families and between services will be even more important.

As part of all of this, the review will need to ask what services are deemed essential, to whom and by whom. This is not a new question, but it is one that has been brought into stark focus by the pandemic.

Long-term sustainable change is also likely to need stronger cross-government working between relevant departments. Parents cannot be the driving force in ensuring that agencies work together. The new 'integrated care systems' are being launched, to improve the integration of health and care in local areas.

This creates an opportunity to design better systems in local areas to ensure that children and young people with SEND receive the right health and care services at the right time.

Ofsted's role in driving improvement for children and young people with SEND

Ofsted has an important role to play in driving improvement for children and young people with SEND and their families. The education inspection framework (EIF) puts a renewed focus on the substance of education. In our education inspections, we look at the quality of the curriculum and how the provider makes sure that all children make meaningful progress across it. We have also added questions about SEND to our parent questionnaire on school inspections. This means we can build a stronger picture of the experiences of families of children and young people with SEND during our inspections.

We also carry out inspections of local areas in partnership with CQC. In these, we evaluate how well local areas are fulfilling their responsibilities to children and young people with SEND. Following a pause due to the pandemic, we are restarting these inspections under our current framework from this summer term. We are starting with revisits to local areas with written statements of action, followed by standard inspections to those areas that have not yet been inspected under the current framework. As [announced earlier this year](#), we are adapting our approach to take account of the impact of COVID-19 on local areas. We will operate in line with the latest COVID-19 guidance.

A new area SEND framework for a new era, in partnership with CQC

During the pandemic, we have also been designing a new framework in partnership with CQC. We hope that this will further drive improvement at this critical moment.

We will set out our proposals in depth as part of a formal consultation, ahead of launching the new framework. All of our plans are subject to the outcome of the spending review. But I want to share now some of the most significant changes we intend to make. These are to:

- focus more sharply on the impact of local area SEND arrangements on children and young people
- drive improvement across England through a new system of inspections
- broaden the scope of our inspection to include all children in alternative provision (AP), not just those with SEND

Below, I have set out a bit more about how we intend to do this.

Focusing more sharply on the impact of area SEND arrangements

Our first framework was designed to support the introduction of the 2014 SEND

reforms. Now these reforms have been implemented, we want our inspections to help local areas make the greatest possible difference for children and their families.

During the last year, we have reflected on what we have learned from our inspections and interim visits and reviewed published research. We have also held conversations with stakeholders about what it takes for area SEND arrangements to result in significant and sustained improvement for children and young people with SEND in the area.

This has helped us identify 3 critical features of an effective SEND system that I want to share with you now. These will form the focus of our new area SEND framework.

Strategic leadership

The first feature is strategic leadership.

SEND arrangements need a strong partnership approach. This is led by the local authority, which works jointly with clinical commissioning groups to commission services, and in partnership with and education, health and care providers.

The basis for an effective local system and partnership is a shared and ambitious vision for children and young people with SEND.

The best arrangements will be underpinned by high aspirations for children and driven by a person-centred way of working. Local authorities and all the main partners must sign up to a shared vision and to taking responsibility for children and young people with SEND. Doing so will require them to embed this vision in their own organisations and to work in partnership with others to achieve the best possible outcomes. Leaders of health and care providers, colleges, academies, maintained and independent schools, and early years settings all have a critical role to play. They cannot work alone.

A shared vision and strong partnership lay the foundations for robust and strategic commissioning plans for those children and young people who need additional support. These will be based on a strong understanding of local needs and informed by engagement and co-production with children, young people and families. Local arrangements will be at their best when leaders in local authorities and across education, health and care services listen to children, young people and their families. Leaders then use what they learn to adapt their strategies and provision to meet local need.

Local partners must also set the conditions for effective practice to flourish, by maintaining effective systems for multi-agency working and having clear expectations for different services and a relentless focus on the quality, impact of services. They will also develop the skills and experience of their workforce to respond to local need. The best arrangements will have a strong line of sight to practitioners and the impact of their practice on children and young people.

Practice

The second feature is practice.

Our inspections, interim visits and conversations with children and families have shown us that the quality of practice is vital. This includes the quality of relationships between children and families and education, health and care services. It also includes a high-quality curriculum in schools that ensures that children learn the essential knowledge and skills they need. High-quality practice across all universal and specialist services is what really distinguishes the most successful area SEND arrangements from those that are not working well enough.

The best local area arrangements enable and encourage practitioners to build strong relationships with, and act as advocates for, children and young people. To do this, they need high-quality and inclusive universal services where practitioners understand the needs of children, and how to meet them. Adaptations and interventions are evidence-based. Practice is effective and purposeful, with ambitious goals for children and young people. Multi-agency arrangements for children and young people with SEND and their families are effective.

A clear graduated response must be in place across a local area. This should result in children's needs being identified the right time and assessed in a timely and effective way. Decisions about support should be based on an effective assess-plan-do-review cycle. In health, decisions to move between universal, targeted and specialist services should be needs-based. There should be effective systems for information-sharing. Transitions between services should be well planned and coordinated.

Improvements in the experiences, progress and outcomes for children and young people with SEND

The third feature is significant and sustained improvement in the experiences, progress, and outcomes for children and young people with SEND in that area. If an area has effective strategic leadership, and high-quality practice, it will lead to this.

In the best area SEND arrangements, children and families will tell us they are influential in decision-making. They can give honest and open feedback that leaders then act on. They will tell us how the support they have received has enabled them to progress, and make effective transitions from one stage of their lives to the next. It will have helped them to prepare for their next steps in education, employment and training, as well as their adult lives. Children and young people will be as healthy as they can be. They will be valued, visible and included in the communities where they live and work.

Driving improvement in local areas through a system of inspections

Another priority for us is to design a system of inspections and judgements

that drives improvement in local areas.

We plan to establish a continuous cycle of inspections. These will learn from and complement our inspections of local authority children's services (ILACS).

We hope these plans will allow us to take a proportionate approach to inspection. We will design the new system carefully to ensure that we manage how often we inspect organisations that are inspected under multiple frameworks.

Designing judgements to drive improvement

Our next step is to design and test how we will gather evidence about the impact of leadership and practice on children and young people and their families. We want to determine how we will judge the impact of local area arrangements.

Our main aim will be to evaluate and judge local areas based on whether they make sustained and significant improvement for children, young people and their families. We recognise that this will need to be done thoughtfully, given the complex and changing nature of local area SEND arrangements. We intend to develop and test our approach to ensure that it encourages the right behaviours and leads to improvement for children and young people.

Broadening the scope of our inspections to include local area arrangements for children and young people in alternative provision

Another change we are considering making in our new area SEND framework is to include area arrangements for all children and young people in AP, rather than just those with SEND.

AP is education for pupils who, because of illness or other reasons, would not receive a suitable education in their mainstream primary or secondary schools. Local authorities and schools commission AP. It is provided by a range of settings, including AP academies, free schools, pupil referral units, independent schools, colleges and unregistered settings.

We know that a high proportion of children in AP have SEND. Local areas' graduated response and commissioning strategies for AP and SEND are also likely to be intertwined. We believe our inspections can support local areas to think strategically about how these 2 important parts of the education system can work together effectively.

An invitation to develop our proposals further

We will be looking for stakeholders to shape our framework further, through a public consultation and a programme of pilots in local areas. Please watch out for further information.

A big thank you to those who have already been involved. Thank you to all the

leaders, practitioners, and children and families in the 10 local areas that volunteered for our interim area SEND visits during the pandemic. And thank you to all those who have met with us to develop our initial thinking further. We will only be able to make the change we want to with your support.