Agenda No 4

AGENDA MANAGEMENT SHEET

Name of Committee	**Children and Young People Overview and Scrutiny Committee**
Date of Committee	**6 April 2011**
Report Title	**The proposals of the Special Educational Needs (SEN) Green Paper and its Consultation questions**
Summary	This overviews the key themes of the SEN Green Paper "Support and Aspiration". It provides information to inform the Warwickshire County Council response to the Consultation by 30 June 2011.
For further information please contact:	Jessica Nash Assistant Head of Service SEN and Inclusion Tel: 01926 742480 jessicanash@warwickshire.gov.uk
Would the recommended decision be contrary to the Budget and Policy Framework? [please identify relevant plan/budget provision]	No
Background papers	Appendix 1 – Executive Summary Appendix 2 – Consultation Questions

CONSULTATION ALREADY UNDERTAKEN: Details to be specified

Other Committees	☐	………………………………………………………..
Local Member(s)	☐	………………………………………………………..
Other Elected Members	☒	Cllr June Tandy Cllr John Ross Cllr Peter Balaam Cllr Carolyn Robbins

Cabinet Member	☒	For information: Cllr Heather Timms
Other Cabinet Members consulted	☐	………………………………………………………..
Chief Executive	☐	………………………………………………………..
Legal	☒	Fay Ford *“no comments”*
Finance	☒	John Betts, *“comments incorporated into the report”*
Other Strategic Directors	☐	………………………………………………………..
District Councils	☐	………………………………………………………..
Health Authority	☐	………………………………………………………..
Police	☐	………………………………………………………..
Other Bodies/Individuals	☒	Jane Pollard, Democratic Services Manager

FINAL DECISION ***NO***

SUGGESTED NEXT STEPS: Details to be specified

Further consideration by this Committee	☒	8 June 2011
To Council	☐	………………………………………………………..
To Cabinet	☒	Cabinet/Lead Portfolio Holder Session – date to be determined
To an O & S Committee	☐	………………………………………………………..
To an Area Committee	☐	………………………………………………………..
Further Consultation	☐	………………………………………………………

Agenda No 4

Children and Young People Overview and Scrutiny Committee – 6 April 2011

The proposals of the Special Educational Needs (SEN) Green Paper and its Consultation questions

Report of the Strategic Director for Children, Young People and Families

Recommendation:

That the Overview and Scrutiny Committee note the key messages of the Department for Education (DfE) SEN Green Paper. "Support and aspiration: A new approach to special educational needs and disability" and consider its response to the DfE's Consultation Questions within the timeframe to 30 June 2011.

1. Introduction

1. Purpose of the Report

1.1 The Department for Education (DfE) has initiated change as to how Local Authorities, schools, Academies and the voluntary/community sector respond to special educational needs and disability. It has set out its proposals in the Green Paper "Support and aspiration". This report sets out the main elements of what the DfE describes as a "radical change"; the Executive Summary can be found in **Appendix 1**, the DfE Consultation Questions can be found in **Appendix 2**.

1.2 The Green Paper clearly reflects the underpinning principles of "The Importance of Teaching" (November 2010) and the ensuing Education Bill (January 2011). It was postponed from December 2010 and the Consultation period runs from 9 March to 30 June 2011.

2. The Context

2.1 The chapters of the Green Paper are:

Introduction
1. Early Identification and assessment
2. Giving parents control
3. Learning and achieving
4. Preparing for adulthood

5. Services working together for families
   Next Steps
   Consultation questions

2.2 There are currently around two million children and young people identified as having a special educational need or who are disabled. Data indicates that their life outcomes are disproportionally poor i.e. they are twice as likely to not be in education, employment or training.

2.3 The Green Paper sets out what the DfE understands as being shortcomings in the current system: late identification of need, lack of co ordination across service providers, an overly bureaucratic system for assessing need and providing support as well as parents feeling that they have inadequate choices regarding educational options within a system that is often adversarial. There is a concern therefore about life chances for children/young people with SEN or disability and how this can also undermine their families.

2.4 The Green Paper sets the ambition for

- providing better support for young people's life outcomes
- increasing parental confidence by giving them more control
- transferring power to front line professionals and communities

3. The Content

3.1 Early Identification and Assessment

3.1.1 Accurate assessment is critical in putting the right support in place for children and their families. The Green Paper proposes early checks involving education, health and social care. A reformed assessment process for children with complex needs, based on a single multi agency approach, will feed into an "Education, Health and Care Plan" for 0 – 25 years. It will focus on outcomes and offer statutory protection for parents in relation to their child's needs.

3.1.2 The DfE is inviting pilot programmes to test how to reform assessment in order to create an "Education, Health and Care Plan". It wishes to explore how the voluntary and community sector could co ordinate the assessment process to increase objectivity.

3.1.3 There is an interim measure to speed up the current process by reducing the time frame for statutory assessment from 26 weeks to 20 weeks.

3.2 Giving Parents Control

3.2.1 It is essential for parents to be central to decision making with regard to their child's provision and ensure their confidence that support will be put in place.

3.2.2 There are five main areas for change:

- make services transparent, by publishing a local offer
- strengthen choice and control, by providing the option of a personal budget by 2014 for those with a Statement or Single Plan

- offer support for families, by training key workers
- ensure parents do have a choice of a range of schools (right to preference any maintained school, Academy or Free School)
- ensure parents and local authorities always engage with mediation before a legal challenge at Tribunal

3.2.3 The DfE is inviting pilot programmes to explore how to extend the scope of personal budgets.

3.3 Learning and Achieving

3.3.1 There is reinforcement of the messages in "The Importance of Teaching" – all children are entitled to a high quality education. Informed by the Ofsted report on SEN (September 2010) "A statement is not enough", the proposal is to address over identification of SEN by replacing the current categories of School Action and School Action plus with a single school-based SEN Category. This will be supported by clearer guidance for schools.

3.3.2 The Green Paper focuses on school accountability to ensure outcomes for pupils with SEN or disability. It proposes to introduce new measures on pupil progress into school performance tables. It identifies more effective professional development for teachers and support staff as integral to improved pupil outcomes. It also outlines greater autonomy for schools to innovate and transform SEN provision.

3.3.3 It is intended for parents to experience greater control as a result of the published school data as well as contributing to creative planning of school provision to meet their child's needs. In addition, parents may have greater choice of schools both via any outstanding special school being eligible to become a Special Academy, or by establishing new Special Free Schools.

3.4 Preparing for Adulthood

3.4.1 There is clear commitment to the principle that children with SEN or disability (pre 16) and Learning Difficulties and/or Disability (LDD) (post 16) have the right to successful adulthood and making a contribution to society. Effective transition is seen as a key element and so the Green Paper proposes a programme of action by 2015, with more detail being released by December 2011.

3.4.2 The main aspects include increasing the quality and range of learning opportunities, support/advice for transition into adulthood would feature as part of the proposed "Education, Health and Care Plan". It is recognised that effective help to move into employment relies on better quality vocational and work – related learning; young people with SEN/D or LDD need support to get and keep a job.

3.4.3 There is a clear drive to improve joint working between paediatric and adult health care, together with proposals for GPs providing annual health checks for disabled young people post 16.

3.4.4 It is envisaged that the Independent Living Strategy will help young people to live independently.

3.5 Services Working Together for Families

3.5.1 The Green Paper signals a strong role for local government alongside schools, health agencies and social care. Local authorities are expected to act as champions of their families and vulnerable children; in order to achieve this it promotes greater collaboration between local authorities and services in the area.

3.5.2 To support greater effectiveness and efficiency the DfE is proposing a national framework for specialist funding provision for children with SEN, that improves consistency whilst allowing for local flexibility. It also seeks greater alignment for post 16 funding and provision.

3.5.3 The refinement of statutory guidance is seen as reducing bureaucratic burdens, the proposal to engage the voluntary and community sector is supported by the plan to target funding.

3.5.4 The Green Paper recognises the need to engage with GP Consortia pathfinders with the aim to establish how best to commission health care services for disabled children and those with SEN.

4. Financial Implications

4.1 While there are no financial implications arising directly from this report, the full financial impact of the Green Paper will be considered once the consultation has been completed and a clearer understanding of future SEN requirements is known.

5. Next Steps

5.1 The DfE is specific about the next steps. The consultation period runs to 30 June 2011, there is no intention to legislate before May 2012.

5.2 Local authorities are invited to express interest in piloting new approaches by June 2011 (with effect from September 2011) in:

- developing a single assessment process and plan including a role for the voluntary and community sector and exploring a right of appeal for secondary age young people

- joining the existing Individual Budget Pilots to support the proposed "Education, Health and Care Plan" (including the costs attached to such an approach)

- local authorities and other services set out a local offer of support available for children who are disabled or who have SEN and their families

There is the opportunity to test a banded funding system that will compliment the work on Individual Personal Budgets.

5.3 The SEN workstream is already engaged with reviewing current statutory provision for pupils with Statements for behaviour, autism and low incidence such as hearing/sight impairment. These internal activities represent the initial stages of the commissioning cycle (look at outcomes, focus on particular groups → needs analysis); the next stage of identifying resources would automatically fit into a pathfinder process of setting out a local offer of all services.

5.4 Across Warwickshire County Council SEN/LDD services have been asked to consult with staff on the Questions and provide an initial response by mid April, that can be refined during May for submission by the deadline. This can contribute to the formal WCC response. It will be important to take into account the Munro proposals when drafting the final response. These focus on social work, looking specifically at early intervention and transparency for service users as well as reducing bureaucracy in accessing social care support. All of which is relevant to the SEN Green Paper in terms of a coordinated across agency response. Similarly the recent consultation on the revised Ofsted inspection framework that runs to May 2011 is relevant to considerations of effective school, and school to school, provision in meeting special educational needs. There is the opportunity to also use existing networks to discuss and draw opinion from parents, children and health partners.

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25 March 2011

APPENDIX 1

Executive summary

Case for change

1. Every child deserves a fair start in life, with the very best opportunity to succeed. Currently, life chances for the approximately two million children and young people in England who are identified as having a special educational need (SEN), or who are disabled, are disproportionately poor.

2. Disabled children and children with SEN tell us that they can feel frustrated by a lack of the right help at school or from other services. For children with the most complex support needs, this can significantly affect their quality of life. Hundreds of thousands of families have a disabled child or a child with SEN, and parents say that the system is bureaucratic, bewildering and adversarial and that it does not sufficiently reflect the needs of their child and their family life.

3. Whilst the circumstances of children, young people and their parents differ greatly; from young people requiring a few adjustments in class to children with life-limiting long-term conditions, families have many shared concerns. The system to support children and young people who are disabled or who have SEN often works against the wishes of families. Children's support needs can be identified late; families are made to put up with a culture of low expectations about what their child can achieve at school; parents don't have good information about what they can expect and have limited choices about the best schools and care for their child; and families are forced to negotiate each bit of their support separately.

Our vision

4. Our proposed reforms respond to the frustrations of children and young people, their families and the professionals who work with them. We want to put in place a radically different system to support better life outcomes for young people; give parents confidence by giving them more control; and transfer power to professionals on the front line and to local communities.

5. **To support better life outcomes for young people** from birth to adulthood we will help professionals: identify and meet children's needs early by ensuring that health services and early education and childcare are accessible to all children; work in partnership with parents to give each child support to fulfil their potential; and join up education, health and social care to provide families with a package of support that reflects all of their needs. We propose:

   - **a new approach to identifying SEN** in early years settings and schools to challenge a culture of low expectations for children with SEN and give them effective support to succeed. A new single early years setting- and school-based category of SEN will build on our fundamental reforms to education which place sharper accountability on schools to make sure that every child fulfils his or her potential; and

- **a new single assessment process and 'Education, Health and Care Plan' 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. Services will work together with the family to agree a straightforward plan that reflects the family's ambitions for their child from the early years to adulthood, which is reviewed regularly to reflect their changing needs, and is clear about who is responsible for provision. The new 'Education, Health and Care Plan' will provide the same statutory protection to parents as the statement of SEN and will include a commitment from all parties to provide their services, with local assessment and plan pathfinders testing the best way to achieve this.

6. **To give parents confidence by giving them more control** over the support their family receives, we will introduce more transparency in the provision of services for children and young people who are disabled or who have SEN. Parents will have real choice over their child's education and the opportunity for direct control over support for their family. We propose:

- **local authorities and other services will set out a local offer of all services available** to support children who are disabled or who have SEN and their families. This easy-to-understand information for parents will set out what is normally available in schools to help children with lower-level SEN, as well as the options available to support families who need additional help to care for their child; and

- **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.

7. **To transfer power to professionals on the front line and to local communities** we will: strip away unnecessary bureaucracy so that professionals can innovate and use their judgement; establish a clearer system so that professionals from different services and the voluntary and community sector can work together; and give parents and communities much more influence over local services. We propose to:

- **give parents a real choice of school**, either a mainstream or special school. We will remove the bias towards inclusion and propose to strengthen parental choice by improving the range and diversity of schools from which parents can choose, making sure they are aware of the options available to them and by changing statutory guidance for local authorities. Parents of children with statements of SEN will be able to express a preference for any state-funded school – including special schools, Academies and Free Schools – and have their preference met unless it would not meet the needs of the child, be incompatible with the efficient education of other children, or be an inefficient use of resources. We will also prevent the unnecessary closure of special schools by giving parents and community groups the power to take them over; and

- **introduce greater independence to the assessment of children's needs,** testing how the voluntary and community sector could coordinate assessment and input from across education, health and social care as part of our proposals to move to a single assessment process and 'Education, Health and Care Plan'.

8. We must provide the best quality of life possible to the most vulnerable children and young people in our society. Many of the reforms we propose in this document focus on helping families with children who have the most complex support needs, including those with life-limiting long-term conditions. We know that the vast majority of these children will have their disability identified before or shortly after their birth. Here, we set out our ambition to: put early support in place for parents to help them navigate the system and influence their child's package of care; to provide ongoing respite care and short breaks for children to help families cope with their day-to-day caring responsibilities; and to help families who are worried about their child's future and independence.

9. Central government cannot achieve this ambitious programme of reform through directing and managing change itself. The vision set out in this Green Paper is informed by the views and expertise of families and national and local organisations working with them. The proposals we set out are for widespread consultation as well as practical testing in local areas. From September 2011, local pathfinders will help demonstrate the best way to achieve our key reforms. This Green Paper marks an important milestone in the development of the Government's approach to supporting children and young people with SEN or who are disabled and their families.

10. We set out our detailed proposals and questions for consultation in five chapters: early identification and support; giving parents more control; learning and achieving; preparing for adulthood; and services working together for families. The final section of this Green Paper explains our next steps and how to respond to our consultation. Based on the feedback we receive, we will set out our detailed plans by the end of the year, and how these reforms and the ongoing testing in local areas will form part of the Government's broader agenda for public service reform.

Early identification and support

11. Identifying children's support needs early is vital if they are to thrive, and enables parents and professionals to put the right approach in place quickly. Graham Allen's review of early intervention highlighted the value of intervening as soon as possible, not just for children and their families, but also for wider society.

12. Too often, the particular support that children and their families require is put in place needlessly late. Although some impairments are normally identified at birth or soon after, other types of need emerge as children grow up. Not knowing why children are developing differently can be tremendously stressful for the child and for their parents. And even when needs have been identified, parents tell us that it can feel like a struggle to get the right support for their family from education, health and social care services. It can be slow and complicated, with different services working in isolation and each having its own approach.

13. We must put in place a system which works well for every child and every family. The proposals in this chapter are intended to ensure high quality early identification and intervention for all children where they need it, such as the health and development review for children aged between 2 and 2½ years, as well as effective integrated support for children with the most complex needs. Our proposals would mean that:

- professionals from health services, such as health visitors, and from early years settings work with parents to assess the development of all children to clarify where they need additional support or a different approach;
- high quality early education and childcare is accessible to all children; and
- by 2014, children and young people who would currently have a statement of SEN or learning difficulty assessment will have a single assessment process and 'Education, Health and Care Plan' for their support from birth to 25. The new plan will afford parents the same statutory protection as the statement of SEN. All the services on which the child and their family rely would work together with the family to agree an 'Education, Health and Care Plan' which reflects the family's needs and ambitions for the child's future covering education, health, employment and independence. The plan will be clear about who is responsible for which services, and will include a commitment from all parties across education, health and social care to provide their services.

14. To work towards this:

- we will test how to reform radically the statutory SEN assessment and statement. Local pathfinders will explore the best replacement, including whether the voluntary and community sector could coordinate assessment and bring greater independence to the process; and
- before introducing the new single assessment process and 'Education, Health and Care Plan', for statements of SEN, we intend to reduce the time the current statutory assessment process takes and explore how to tackle delays in the provision of advice for the statutory assessment.

Giving parents control

15. Early intervention from all the services on which families rely is essential, but the effectiveness of this support is undermined if it doesn't reflect each family's unique circumstances. Parents know their child best. As well as giving their own love and care, parents rely on health services, early years settings, schools and other people to help look after their child and help him or her have a happy childhood and fulfil his or her potential. Disabled children and children with SEN may require a different approach in these health and education settings to their peers, or extra support from social care or specialist services. It is crucial to families that these services work well together and that parents are empowered to make decisions about their child. Unfortunately, this is not what many families experience.

16. Children, young people and their parents have a variety of different circumstances, but many families share a concern that the system can feel impenetrable, bureaucratic and inefficient, and does not sufficiently reflect their family life. Parents may feel that their choices are limited and their options don't always meet the basic needs of their child. This is particularly the case where a child relies on specialist services or equipment – such as incontinence pads, computer software and wheelchairs – to support their physical and communication needs to help improve the quality of their life. These problems may also be compounded by disadvantage, and some parents might have poor health, live in poverty, or have difficult family circumstances on top of juggling a range of support for their child.

17. Our aim is to give parents more control over support for their child and family. This will mean ending the frustration, complexity and confrontation inherent in today's system, which in itself can undermine family life. The proposals in this chapter are intended to extend parents' influence, build their confidence in the system and minimise its adversarial nature, and would mean that:

    - local authorities and other local services communicate a clear local offer for families to clarify what support is available and from whom;
    - parents have the option of personalised funding by 2014 to give them greater control over their child's support, with trained key workers helping them to navigate different services;
    - parents have access to transparent information about the funding which supports their child's needs;
    - parents of disabled children continue to have access to a short break from caring while their child enjoys activities with their peers;
    - parents have a clear choice of school; and
    - if local authorities and parents disagree, they always try mediation first, to resolve problems in a less adversarial way than having to take their case to the Tribunal.

18. As first steps towards this aim:

    - local authorities and health services will explore how to extend the scope of personalised funding;
    - we will give parents the right to express a preference for any state-funded school, including Academies and Free Schools.

Learning and achieving

19. Parents' confidence that their child's needs are being met is vital to making the system feel less adversarial. A central piece of this jigsaw is the capacity and commitment of the education system to give every child and young person the chance to succeed. Every child, whether in a mainstream or special setting, deserves a world-class education to ensure that they fulfil their potential.

Everyone who works with disabled children and children with SEN should have high expectations of them and the skills to help them to learn.

20. But the system doesn't always work in the way it should for disabled children and young people and those with SEN. Too many face significant barriers to their progress and achieve less well than their peers at school and in further education. Disabled children and children with SEN are more likely to be bullied or excluded than their peers. They also tell us that they want to be educated by people who understand their impairments, without fear of being stigmatised by their peers and in an environment where poor behaviour is not tolerated.

21. To provide the best opportunities for all children and young people, we must confront the weaknesses of our education system. Children's needs should be picked up as early as possible, but teachers tell us that they have not always had training to identify children's needs, or to provide the right help. Head teachers have been overwhelmed with top-down initiatives rather than having the freedom to drive improvements.

22. Previous measures of school performance created perverse incentives to over-identify children as having SEN. There is compelling evidence that these labels of SEN have perpetuated a culture of low expectations and have not led to the right support being put in place.

23. In our Schools White Paper, *The Importance of Teaching*, we set out our vision to match the best education systems in the world. Building on that, our proposals in this Green Paper will mean that:

- teachers and other staff in schools and colleges are well trained and confident to: identify and overcome a range of barriers to learning; manage challenging behaviour; address bullying; and intervene early when problems emerge;
- schools will have additional flexibility to support the needs of all pupils, and will have additional funding to support disadvantaged pupils through the pupil premium;
- teachers feel able to identify effectively what a child needs to help them to learn and to plan support to help every child progress well, reflecting the specific needs of children with SEN and those who may just be struggling with learning and need school-based catch-up support which is normally available;
- parents have the information they need about how the school is supporting their child;
- schools are more clearly accountable to parents, governors and Ofsted; and
- special schools share their expertise and services to support the education, progress and development of pupils in other special and mainstream schools, leading to a greater choice of specialist provision.

24. To work towards this:

- we intend 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; revising statutory guidance on SEN identification to make it clearer for professionals; and supporting the best schools to share their practices. This will help teachers to spot quickly and accurately any barriers to learning and provide the right support to help each child progress;
- we will introduce an indicator in performance tables which will give parents clear information on the progress of the lowest attaining pupils;
- starting with those judged by Ofsted to be outstanding, all maintained special schools will in due course have the opportunity to become Academies; and
- parents and members of local communities will be able to establish new special Free Schools.

Preparing for adulthood

25. By 2015, all young people will continue in education or training until the age of 18. Schools and colleges play a key role in helping young people make successful transition to adulthood, but young people also need wider opportunities and support to make the most of their future and give them the best chance of a fulfilling adulthood with employment, good health and independence. However, many young people who are disabled or who have SEN can face additional challenges during their teenage years. Too often the opportunities and support available to disabled young people and young people with SEN fall short of what they need to make a successful transition to adult life.

26. Like school-aged children, young people who are disabled or who have SEN and their parents tell us that to get the help they need they have to cope with disjointed and confusing assessment processes from their local authority, school or college and health providers. Too often, professionals working with these young people are not encouraged to focus on young people's ambitions for adulthood and how best to help them prepare. Such poor planning of support is exacerbated by a lack of choice and opportunities for young people: for example, a limited choice of entry-level courses in further education that do not build on what has gone before, or prepare young people for life and work; poor quality work experience; and a lack of supported employment opportunities to help them prepare for, find and retain work. In addition, the transition from children's to adult health services is often badly coordinated, which can lead to a deterioration in young people's health.

27. Our goal is for disabled young people and young people with SEN to have the best opportunities and support so that as far as possible they can succeed in education and their careers, live as independently and healthily as they are able to and be active members of their communities. For a small number of young people, independent living may not be possible, and their families may be anxious about their ongoing care responsibilities. For these young people, we want to ensure the best quality of life with support for them to fulfil their potential and support for their parents and carers.

28. We recognise the challenge of realising our ambitions, and we will take forward a programme of action across government and with local partners, setting out more detail by the end of this year, so that by 2015 disabled young people and young people with SEN will have:

- early and well-integrated support for, and advice on, their future as part of the proposed birth to 25 single assessment process and 'Education, Health and Care Plan', spanning education, health, social care, and support into employment;
- access to better quality vocational and work-related learning options to enable young people to progress in their learning post-16;
- good opportunities and support in order to get and keep a job; and
- a well-coordinated transition from children's to adult health services, and we will explore the feasibility of annual health checks from GPs for all disabled young people from the age of 16.

Services working together for families

29. The reforms we set out in this Green Paper aim to provide families with confidence in, and greater control over, the services that they use and receive. For too many parents, their expectations that services will provide comprehensive packages of support that are tailored to the specific needs of their child and their family are not matched by their experiences, just as frontline professionals too often are hampered and frustrated by excessively bureaucratic processes and complex funding systems.

30. Rather than directing change from Whitehall, we want to make it easier for professionals and services to work together, and we want to create the conditions that encourage innovative and collaborative ways of providing better support for children, young people and families. The proposals in this chapter would mean that:

- by developing stronger local strategic planning and commissioning arrangements, local authorities and local health services will play a pivotal role in ensuring that children and young people with SEN or who are disabled receive high quality support, and that parents are able to make informed choices about what is right for their family;

- frontline professionals will have the freedom to work together to develop better services for children, young people and families; and
- the way in which services for children and young people with SEN or who are disabled are funded will facilitate integrated and collaborative approaches by local professionals, be more transparent to parents, and secure better value for money.

31. To work towards this we propose to:

    - work with the health sector and with the new Health and Wellbeing Boards to consider how the needs of children and young people with SEN or who are disabled can best be taken into account through the Joint Strategic Needs Assessment, joint health and wellbeing strategies, guidelines and standards from the National Institute for Health and Clinical Excellence (NICE), and health service outcomes frameworks;
    - work with the GP consortia pathfinders to explore the best ways of providing support for the commissioning of healthcare services for children and young people with SEN or who are disabled and their families;
    - reduce bureaucratic burdens by simplifying and improving the statutory guidance for all professionals working with children and young people with SEN or who are disabled from birth to 25 so that it is clear, accessible and helpful, and withdrawing guidance that does not provide useful support to professionals;
    - work with the educational psychology profession and local commissioners to review the future training arrangements for educational psychologists;
    - encourage greater collaboration between local professionals and services and across local boundaries;
    - extend the freedom and flexibility with which funding can be used locally;
    - provide targeted funding to voluntary and community sector organisations that have a strong track record of delivering high quality services, and publish a national SEN and disabilities voluntary and community sector prospectus that will set out the key areas in which we will make further funding available to voluntary and community sector organisations;
    - work with a group of local authorities to explore whether and how a national banded framework for funding provision for children and young people with SEN or who are disabled could improve transparency to parents while continuing to allow for local flexibility; and
    - explore how the different funding arrangements for special educational provision pre-16 and post-16 might be aligned more effectively so as to provide a more consistent approach to support for children and young people from birth to 25.

Next Steps

32. The ambitious vision for reform set out in this Green Paper includes wide ranging proposals to improve outcomes for children and young people who are disabled or have SEN, minimise the adversarial nature of the system for families and maximise value for money.

33. This publication marks the start of a four month period of consultation and a period of testing proposals in local areas from September 2011. We will work across government and with local and national partners to set out detailed plans by the end of the year. This will form the basis for any necessary legislative changes to be taken forward from May 2012 at the earliest.

APPENDIX 2.

Consultation Questions

Question 1: How can we strengthen the identification of SEN and impairments in the early years, and support for children with them?

Question 2: Do you agree with our proposal to replace the statement of SEN and learning difficulty assessment for children and young people with a single statutory assessment process and an 'Education, Health and Care Plan', bringing together all services across education, health and social care?

Question 3: How could the new single assessment process and 'Education, Health and Care Plan' better support children's needs, be a better process for families and represent a more cost-effective approach for services?

Question 4: What processes or assessments should be incorporated within the proposed single assessment process and 'Education, Health and Care Plan'?

Question 5: What is the potential impact of expanding the scope of the proposed single assessment process and plan beyond education, health, social care and employment?

Question 6: What role should the voluntary and community sector play in the statutory assessment of children and young people with SEN or who are disabled? How could this help to give parents greater confidence in the statutory assessment process?

Question 7: How could the proposed single assessment process and 'Education, Health and Care Plan' improve continuity of social care support for disabled children?

Question 8: How could the arrangements for provision of health advice for existing statutory SEN assessments be improved?

Question 9: How can we make the current SEN statutory assessment process faster and less burdensome for parents?

Question 10: What should be the key components of a locally published offer of available support for parents?

Question 11: What information should schools be required to provide to parents on SEN?

Question 12: What do you think an optional personal budget for families should cover?

Question 13: In what ways do you think the option of a personal budget for services identified in the proposed 'Education, Health and Care Plan' will support parents to get a package of support for their child that meets their needs?

Question 14: Do you feel that the statutory guidance on inclusion and school choice, *Inclusive Schooling*, allows appropriately for parental preferences for either a mainstream or special school?

Question 15: How can we improve information about school choice for parents of children with a statement of SEN, or new 'Education, Health and Care Plan'?

Question 16: Should mediation always be attempted before parents register an appeal to the First-tier Tribunal (SEN and Disability)?

Question 17: Do you like the idea of mediation across education, health and social care? How might it work best?

Question 18: How can we ensure that the expertise of special schools, and mainstream schools with excellent SEN practice, is harnessed and spread through Teaching Schools partnerships?

Question 19: How can we ensure that we improve SEN expertise, build capacity and share knowledge between independent specialist colleges, special schools and colleges?

Question 20: How can we continue to build capacity and SEN specialist skills at each tier of school management?

Question 21: What is the best way to identify and develop the potential of teachers and staff to best support disabled children or children with a wide range of SEN?

Question 22: What is the potential impact of replacing School Action and School Action plus and their equivalents in the early years with a single category of SEN in early years settings and schools?

Question 23: How could changing the school- and early years setting-based category of SEN embed a different approach to identifying SEN and addressing children's needs?

Question 24: How helpful is the current category of BESD in identifying the underlying needs of children with emotional and social difficulties?

Question 25: Is the BESD label overused in terms of describing behaviour problems rather than leading to an assessment of underlying difficulties?

Question 26: How could we best ensure that the expertise of special schools in providing behaviour support is harnessed and shared?

Question 27: What are the barriers to special schools and special Academies entering the market for alternative provision?

Question 28: What are the ways in which special Academies can work in partnership with other mainstream and special schools and Academies, and other services, in order to improve the quality of provision for pupils with SEN and disabilities?

Question 29: What are the barriers to special Academies becoming centres of excellence and specialist expertise that serve a wider, regional community and how can these be overcome?

Question 30: What might the impact be of opening up the system to provide places for non-statemented children with SEN in special Free Schools?

Question 31: Do you agree with our proposed approach for demonstrating the progress of low attaining pupils in performance tables?

Question 32: What information would help parents, governors and others, including Ofsted, assess how effectively schools support disabled children and children with SEN?

Question 33: What more can education and training providers do to ensure that disabled young people and young people with SEN are able to participate in education or training post-16?

Question 34: When disabled young people and young people with SEN choose to move directly from school or college into the world of work, how can we make sure this is well planned and who is best placed to support them?

Question 35: Do you agree that supported internships would provide young people for whom an apprenticeship may not be a realistic aim with meaningful work opportunities? How might they work best?

Question 36: How can employers be encouraged to offer constructive work experience and job opportunities to disabled young people and young people with SEN?

Question 37: How do you think joint working across children's and adult health services for young people aged 16 to 25 could be improved?

Question 38: As the family doctor, how could the GP play a greater role in managing a smooth transition for a disabled young person from children's to adult health services?

Question 39: Do you agree that our work supporting disabled young people and young people with SEN to prepare for adulthood should focus on these areas: ensuring a broad range of learning opportunities; moving into employment; independent living; and transition to adult health services? What else should we consider?

Question 40: We have identified three core features of the role of local authorities in supporting children and young people with SEN or who are disabled and their families: strategic planning for services, securing a range of high quality provision, and enabling families to make informed choices and exercise greater control over services. Do you agree that these are the three core features of the role of local authorities in supporting children and young people with SEN or who are disabled and their families, or are there others?

Question 41: How can central government enable and support local authorities to carry out their role effectively?

Question 42: What would be the best way to provide advice to GP consortia to support their commissioning of services for children and young people with SEN or who are disabled and their families?

Question 43: What would be the most appropriate indicators to include in the NHS and public health outcomes frameworks in the future to allow us to measure outcomes for children and young people with SEN or who are disabled?

Question 44: What are the ways in which the bureaucratic burdens on frontline professionals, schools and services can be reduced?

Question 45: In addition to community nursing, what are the other areas where greater collaboration between frontline professionals could have the greatest positive impact on children and young people with SEN or who are disabled and their families?

Question 46: What more do you think could be done to encourage and facilitate local services working together to improve support for children with SEN or who are disabled?

Question 47: How do you think SEN support services might be funded so that schools, Academies, Free Schools and other education providers have access to high quality SEN support services?

Question 48: What are the innovative ways in which new models of employee-led organisations, such as mutuals and cooperatives, could improve services for children and young people with SEN and their families?

Question 49: In addition to their role in the assessment process, what are the innovative ways in which educational psychologists are deployed locally to support children and young people with SEN or who are disabled and their families?

Question 50: How do you envisage the role and service structures of educational psychologists evolving to meet local demands?

Question 51: What are the implications of changes to the role and deployment of educational psychologists for how their training is designed and managed?

Question 52: What do you think can be done to facilitate and encourage greater collaboration between local authorities?

Question 53: What do you think are the areas where collaboration could have the greatest positive impact on services for children, young people and families?

Question 54: How do you think that more effective pooling and alignment of funding for health, social care and education services can be encouraged?

Question 55: What are the ways in which a Community Budget approach might help to improve the ways in which services for children and young people with SEN or who are disabled and their families are delivered?

Question 56: What are the ways in which we could introduce greater local freedom and flexibility into the ways in which funding for services for children and young people with SEN or who are disabled is used?

Question 57: What are the areas where the voluntary and community sector could have the greatest positive impact on services for children and young people with SEN or who are disabled and their families, and what are the ways we can facilitate this?

Question 58: How do you think a national banded funding framework for children and young people with SEN or who are disabled could improve the transparency of funding decisions to parents while continuing to allow for local flexibility?

Question 59: How can the different funding arrangements for specialist provision for young people pre-16 and post-16 be aligned more effectively to provide a more consistent approach to support for children and young people with SEN or who are disabled from birth to 25?