

# SEND Reform Consultation Response

*"Every child with SEND deserves timely, effective support to thrive. When we overlook their needs, we limit their futures."*

***Mum of a 15 year old in St Helens North***

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# **1. Introduction**

In the weeks following publication of the Schools White Paper, I undertook a programme of engagement with families, schools and professionals in St Helens North, meeting face to face, online and receiving views via email.

Our local parent and carer forum\_Listen 4 Change have also engaged with families spanning a wide range of ages and provision types – from early years through to post-16 and further education. Attendees completed detailed feedback questionnaires and took part in open discussion. Listen 4 Change have submitted their own formal consultation response drawing on this engagement available here: <https://listen4change.uk/listen-4-change-response-to-the-send-reform-consultation/>

I received written submissions from constituents unable to attend events in person, including parents whose caring responsibilities make participation in public meetings effectively impossible. These submissions offered some of the most detailed and distressing accounts of system failure I have received, and it is important that their voices are not excluded from this process simply because they cannot be in the room.

This engagement built on the hundreds of emails, letters and calls I have received from families in St Helens North about SEND since my election in July 2024, and on the November 2025 report I produced – No Child Left Behind – which set out in detail what families and schools in St Helens North needed from the system.

## **2. Overview**

### **What St Helens Already Has**

The TESSA system provides coordinated multi-professional support to education settings. Resourced provisions and SEN units exist in primary and secondary schools and in both post-16 colleges. There is an established outreach offer from specialist provisions. PINS training has demonstrably improved practice in schools that have engaged with it.

And yet the problems persist. Inconsistency between settings – between those that engage with the local offer and those that do not – remains marked. The lesson from St Helens is that the architecture of the proposed reforms already exists in some places. What is needed is not a new architecture but the funding, workforce and mandatory accountability to make it work everywhere, for every child.

### **Reaction to the consultation**

The families and professionals I spoke with are not opposed to reform. They understand that the system as it stands is not sustainable – for local authorities, for schools, or for children. They recognise that the current process is too slow, too adversarial and too dependent on families having the time, knowledge and resources to fight.

But the overwhelming sentiment across every event, every questionnaire and every letter I received was one of deep concern that these specific proposals, as currently framed, risk making things worse rather than better.

The central worry is this: the reforms shift more responsibility onto schools and away from enforceable legal rights, without providing the workforce, sufficient funding or effective accountability mechanisms needed to make that shift work in practice.

A lack of trust in the system and in those tasked with providing support is clearly pervasive.

Parents and carers at the Listen 4 Change event were asked whether the proposed reforms would make it easier for families to access support, and not one respondent selected 'very likely' or 'somewhat likely'. The answers clustered around 'unlikely' and 'very unlikely'. When asked the same question about schools, the results were identical. That is a significant statement from a group of families who came specifically to engage with the process.

One parent whose children are in post-16 provision described the proposals as a return to a pre-2014 system of School Action and School Action Plus that was already tried, found wanting, and overhauled for good reason. Another noted that LAs are already being asked to plan for the reforms before the consultation has closed – a concern raised independently at both the roundtable and in written submissions, and one that raises a genuine question about whether this is a listening exercise or a decision already made.

*"Feels like done deal. LAs planning for the SEND reforms. Waste of parents' time and effort – they don't have it – doing a consultation that is meaningless."*

**Parent carer, St Helens North**

### 3. Key Themes from St Helens North

#### **The Children Being Left Behind**

The single most consistent concern I heard from parents in St Helens North, from SENCOs, from the roundtable and from written submissions was **about the children who fall between mainstream and specialist provision.**

These are children whose needs are real and significant, but who do not meet the threshold for an EHCP, or who are placed in mainstream settings that cannot meet their needs. They are, in the words used repeatedly across my engagements, the 'inbetweeners'.

In mainstream settings, these children can experience isolation and bullying. Several parents are concerned about 'inclusion hubs' that might function in practice as a form of segregation – children physically present in a school but not genuinely part of it, unable to be themselves in the wider peer group. One parent whose child attends a specialist school described having to go to court to make her son's 1-1 support lawful, even with an EHCP in place, and expressed deep concern about what happens to children in mainstream with fewer protections.

The tiered support model proposed in the White Paper does not, in the view of many local families and schools, adequately address this group. As the threshold for statutory assessment rises, the risk is that more children fall into a middle ground where support is promised but not legally guaranteed and not adequately resourced.

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*"I feel we need like an 'inbetween school', from mainstream and specialist."*

**Parent carer, St Helens North**

This view was expressed independently in questionnaire after questionnaire. The idea of a genuinely intermediate provision – not mainstream, not specialist, but purposefully designed for children in between – emerged not from a single voice but from the collective experience of families across the constituency

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### **Legal Rights and Accountability**

EHCPs are not working well. Families know this. Schools know this. The system produces plans that are too long, too inconsistently applied and too slow. In St Helens, EHCP paperwork runs to 44 pages – compared to 45 in neighbouring Warrington, for what should be the same document. That is not a system designed for families.

But the answer, in the view of almost every family I heard from, is not to weaken the legal framework – it is to enforce it. The consistent view from the roundtable was that if current EHCPs were actually delivered as written, there would be far less need for tribunals. It is not the structure that is broken; it is the accountability. Changing the structure without fixing the accountability does not fix what is wrong.

The proposed shift – moving the specifics of provision from legally enforceable EHCPs into non-statutory Individual Support Plans – was the reform families found most alarming. One parent, writing because she could not attend in person, described her daughter as unable to attend school due to unmet need, despite having an EHCP in place. She had been asked to transport her daughter in taxis without a trained escort. That is what happens with an EHCP. The prospect of weaker protection is, for families like hers, genuinely frightening.

*"We need to ensure every child, regardless of their needs, can access quality education without their parents having to fight*

*the system. Getting my son into a school that can meet his needs shouldn't have been so hard."*

***Dad of a child in specialist provision, St Helens North***

Families also raised serious concerns about the proposed reduction in tribunal powers. At present, the tribunal is the mechanism of last resort – used because other mechanisms fail. Where the overwhelming majority of appeals are upheld nationally, the response should not be to make appeals harder. It should be to understand why so many decisions were wrong in the first place.

School complaints procedures and independent panels – proposed as alternatives – did not inspire confidence. Families do not believe that volunteer governors have the time, expertise or independence from school leadership to provide meaningful redress. This was particularly acute in discussions about academy schools, where existing accountability is already seen as inadequate.

**Workforce, Deliverability and the SENCO Crisis**

The most consistent concern from the professional roundtable and from the school staff event was workforce. The reforms place enormous new demands on SENCOs – to produce Individual Support Plans for every child with identified SEND, to lead on inclusion, to coordinate with specialists, to manage complaints. But SENCOs are already stretched beyond what is sustainable, and the schools I spoke with are not convinced that the proposal come with a credible plan to expand capacity, protect their time, or guarantee the funding to make any of it deliverable.

The risk is one that parents and schools identified independently: if SENCOs are pulled further into administration and paperwork, they spend less time with children. And producing a plan is not the same as delivering support. Raising parental expectations through the promise of Individual Support Plans for every child, while failing to resource the workforce to deliver them, would be a significant step backwards.

There is also a serious retention problem. Schools in St Helens have made deputies redundant to protect TA roles. One school has not a single TA who is not linked to a high-needs child. The government's commitment to improving TA pay is welcomed – but schools are concerned they will be expected to absorb the cost, solving one problem by creating another.

*"There is a disconnect between what schools are being asked to do – and want to do – and what they can actually do in reality."*

**SENCO, mainstream primary school, St Helens North**

The Experts at Hand offer is welcomed in principle and the funding is a step in the right direction, but families – and schools in particular – questioned whether educational psychologists, speech and language therapists and occupational therapists exist in sufficient numbers to make it real, and . One attendee – a speech and language therapist – noted that the consultation makes no mention of the 1.3 million children who would have a Developmental Language Disorder diagnosis, and that there is a profound shortage of professionals to meet even current demand.

### **Inclusion: Principle and Practice**

There is strong support in St Helens North for inclusion in principle. Schools want to be inclusive. Families, in the main, want their children to be part of their local community schools where that genuinely works. But both groups were equally clear: inclusion in name is not the same as inclusion in practice.

Where a child is placed in a mainstream setting that cannot meet their needs – where classrooms are too noisy, sensory environments are unsuitable, staff are not trained, and bullying goes unchallenged – inclusion causes harm. Several parents noted the particular vulnerability of autistic children to bullying in mainstream settings, and the long-term consequences when schools cannot adequately respond.

The proposed Inclusion Bases could be part of the answer and I have seen outstanding examples in local schools where this already works thanks to the efforts of schools and support of families. But I have heard serious practical concerns: many existing bases are already full, there is no plan for what happens when a base is at capacity, and there is no mention of occupational therapist involvement in designing these spaces – despite OTs being among those best placed to ensure an environment genuinely supports regulation and participation for children with SEND.

I have also heard concerns about the tension between Ofsted's accountability framework and genuine inclusion. Schools are being asked to prioritise inclusion while a performance framework focused on academic results often pushes in the opposite direction. That tension cannot be resolved by a SEND White Paper alone.

### **Early Intervention and Invisible Children**

I have heard concerns about the number of children whose needs are not visible or easily recognised in a classroom. Children who mask, children with uneven profiles, children who appear to cope academically while experiencing significant emotional or sensory difficulties – these children are at particular risk of being overlooked in a system that relies more heavily on school-based identification.

There is also a gap around conditions that present in overlapping ways. Foetal Alcohol Spectrum Disorder, for instance, presents similarly to ADHD in many respects but requires different interventions. Without specialist diagnostic capacity and mandatory training that covers less well-known conditions, children will continue to receive provision designed for the wrong diagnosis. Developmental Language Disorder is another example – its absence from the proposals was explicitly flagged by a speech and language therapist attending our parent event.

## **4. Summary**

### **The importance of enforceable legal rights**

There is concern about moving the substance of provision from legally enforceable EHCPs into non-statutory Individual Support Plans. Families suggest that of the concern is that EHCPs are not being delivered, the answer is enforcement, not removal of enforceability. Families want to retain a meaningful and accessible route of challenge when provision is not delivered.

### **Access to the tribunal**

Families do not want to reduce tribunal powers. They ask for reform of the processes and decision-making that generate so many unsuccessful LA decisions in the first place. Given the number of appeals which are upheld, families believe that the reasons for that should be investigated and addressed, rather than making appeals harder to pursue.

### **Resource the workforce**

Schools and families acknowledge the funding already announced but are concerned that more asks on them without sufficient investment – enough capital funding for new inclusion facilities as well as numbers of teaching assistants, training and resources – and any expansion of SENCO responsibilities will create more expectations which cannot be met and simply continue to generate mistrust and disappointment for families. They want to see us invest in growing and retaining the SENCO workforce, with ring-fenced time and funding, and investment in TA numbers and pay in a way that does not transfer cost pressure to already stretched school budgets.

### **Address the 'inbetween' gap**

Families and schools want the tiered model to include genuinely differentiated provision for children who fall between mainstream and specialist. Ensure OT expertise is embedded in the design and commissioning of any new provision, including Inclusion Bases.

### **Make the Experts at Hand offer real**

Schools – specialist and mainstream – ask for a credible workforce strategy for educational psychologists, speech and language therapists and occupational therapists. They want us to set out how the model will function where professional shortages are most acute.

Specialist schools are keen to offer outreach in terms of staff time and training to support mainstream schools, but this must be properly covered and resourced and they worry about having to do this out of existing budgets.

### **Local SEND Groups**

Specialist schools and alternative provision sites would like clarity about whether they will be full, associate or commissioned providers in the proposed Local SEND Groups with pooled funding.

### **Close the postcode lottery through mandatory accountability**

Voluntary engagement with national inclusion standards will reproduce existing inconsistencies. Make key elements mandatory, with independent oversight and a meaningful accountability mechanism that applies equally to academies and maintained schools.

### **Standardise EHCP paperwork now**

Schools do not want to wait for the full reforms to deliver this. Standardising EHCP paperwork across local authorities is broadly welcomed and would make a difference today, particularly for cross-border cases.

### **Retain mental health within the areas of need**

Removing mental health from the areas of development is a serious concern for many. Unmet educational needs causes mental health deterioration; mental health deterioration creates educational barriers. These cannot be treated as separate.

### **Reach the families who cannot attend**

The families most affected by SEND system failure are often the least able to participate in consultations. This process must actively reach parents with

high caring responsibilities, those managing crisis placements, and those who have lost confidence in the system.

*"We need to feel like our children are treated as equals and not a problem that the authorities don't have money for."*

***Mum of a 10 year old in specialist provision, St Helens North***

**David Baines MP**

**Member of Parliament for St Helens North**

May 2026