



## NEWS RELEASE

---

Immediate release:

**30<sup>th</sup> May is a day of protest by families under the SEND National Crisis banner, defending the rights of their disabled children and young people to appropriate education, health and social care. NEU calls on its members to join the demonstrations**

**LONDON, UK, 30 MAY 2019:** Thousands of parents, disabled children and young people and the professionals who work with them will be taking to the streets on Thursday 30 May 2019 to demand that the Government acts to end the national crisis in SEND funding.

Campaigners will be demonstrating in 22 locations across England from 1pm until 3pm in the first action of its kind to unite everyone concerned with ensuring children and young people with special educational needs and disabilities receive the support they need and are legally entitled to.

The National Education Union is backing the protest and is calling for its members to join the demonstrations in their local areas on 30<sup>th</sup> May, which is during the May Half-Term holiday.

In 2014, a new law, the Children and Families Act (CFA), gave children with special educational needs and disabilities (SEND) the right to what was intended to be a holistic Educational, Health and Care Plan (EHCP) from birth up to the age of 25. It was supposed to encompass all their support needs in one legally enforceable document to enable them to reach their potential.

However, since 2010, spending on high needs in Education has failed to keep pace with demand. Additionally, austerity measures that have left schools pleading for donations and cutting vital teaching assistant support, have left children without the help they need. As a result, more disabled children are out of school, more are being illegally excluded or off-rolled, and more families are having to fight to get the right provision—something the SEND reforms were intended to end. Added to this, more Children's Centres, vital to support disadvantaged and disabled children, are being closed through lack of funding.

Now, families, professionals supporting them and children themselves have said, "time's up" to this failure to provide adequate funding. The Department for Education keep saying it's being looked at in the spending review but no matter how much they inject, it must ensure local authorities use it where it is most needed—and not to shore up departments outside of SEND.

The **SEND National Crisis** parent-led movement has taken shape over the last year, as anger has grown at the persistent failures of Government and local authorities in delivering the promised reforms as they were set out in the CFA. Hard-pressed parents, already coping with children who have complex needs, and often with low incomes because of caring duties, want to highlight the damage being caused to the country's most vulnerable children. Their access to appropriate—or sometimes any—education, social care, or health provision is being curtailed by councils and health bodies cutting vital services and refusing to comply with their legal obligations.

Co-founder of SEND National Crisis, Nadia Turki, from West Yorkshire, said, *“We can no longer remain silent when our children are suffering for want of adequate Government funding. We are demanding a necessary change to the framework to ensure workable regulatory controls, and to ensure SEND funding is ring-fenced to ensure delivery precisely where it is most needed.”*

SEND National Crisis also have a current petition for their cause with over 11,000 signatures, that Nadia and joint founder, Poppy Rose, from London, will deliver to the Prime Minister at 10 Downing Street on May 30<sup>th</sup>, followed by a rally in nearby Parliament Square. This will be synchronised with a further 21 marches and rallies in regions across the country.

Poppy Rose said, *“The Government said austerity was over but families say the lack of funding for support is having a detrimental effect on the mental health, life chances, and outcomes of disabled children and young people. While the reforms extended statutory support to ages 16-25, young people have consistently found it impossible to secure suitable education or training. It's a post code lottery for availability and quality of SEND provision across all ages. It's also clear from the results of the local area SEND Inspections by Ofsted and CQC, that strategic leadership to implement the reforms has failed in councils across England and the system is more adversarial than ever.”*

Families are increasingly being refused applications for support by local councils and many do not feel able, or understand how, to appeal these often arbitrary decisions. Those who do are facing lengthy and expensive legal battles but national figures show that almost 90% of the time, they win. They are left, however, “battle-weary”, with the mental scars of emotional and psychological abuse delivered by the hands of gaslighting councils.

It is an intolerable situation that means access to rights, equality, inclusion, and the prospect of a bright future, are being wrongfully denied to many thousands of disabled children. They are the victims of local councils cutting the “soft underbelly” where people are least able to fight back.

**This is not just a national crisis, it is a national scandal.** The SEND Crisis campaign group aims to highlight the failings of the current system and the injustice and inequalities experienced by disabled children, young people and their carers.

## What do we want?

1. Central Government must ensure sufficient funding to meet staff SEND training, EHCPs issued and to provide adequately for the non-statutory, lower levels of SEN support within schools, so every child has the opportunity to reach their full potential.
2. Government funding for SEND MUST be ring-fenced for SEND use only.
3. Schools must to be adequately funded to provide early intervention and SEN support and teachers and school leaders must be trained to identify and act on emerging signs of SEND in children.
4. The system is supposed, in law, to be needs-based and centred around the child and family. We demand that local authorities to obey the law for needs-based rather than resource-based funding of EHCPs. The child and family MUST be at the centre of the assessment and planning process. Final EHCPs must identify, specify and quantify all necessary provision to be delivered. This is simply abiding by what is legally required.
5. Pathways to assessment and diagnosis MUST meet legal timescales for statutory assessments.
6. Increase funding for pro-active support to help parents of children with additional needs understand the SEND process and their rights to complain, appeal or to Judicial Review, where appropriate. This includes increasing help available to support parents go through a complaints or appeal process.
7. Improve the access of the LGSCO to investigate parent carer complaints, as the current system hinders the parents' ability to seek redress and also delays swift reviewing and provision of necessary services for each child.
8. Improve training and accountability for assessing, monitoring and improving educational outcomes for every child with SEND
9. Local authorities must be transparent with their service provision and held truly accountable, when evidence that a child's educational needs have been neglected.
10. Make it a duty for local authorities to publish data twice a year, relating to key areas of SEND so performance can be measured outside formal inspections. KPIs could include: number of statutory assessment requests refused, Tribunal outcomes, numbers of children out of school and reasons why.
11. ALL costs, including private reports, needed for the Tribunal process or Judicial Review, to be reimbursed to parents when the local authority has lost or withdrawn the case, or found to be at fault by the Local Government and Social Care Ombudsmen.

12. Compel local authorities to work openly with volunteer parent and carer forums/boards in monitoring the commissioning and delivery of SEND services from birth to 25.
13. One consistent SEND process and EHCP template that ALL Local Authorities MUST use, rather than each local authority having its own version.

## KEY STATISTICS:

- **Funding is in crisis:** The funding gap for high-needs SEND was at least **£287m** last year, and is projected to reach **£1.6bn** in the next 2 years [Source: *ISOS Partnership "Have we reached a 'tipping point'? Trends in spending for children and young people with SEND in England"*, December 2018]
- **The SEND Reforms are in crisis:** So far, **half of all local area SEND services have failed their Ofsted / CQC inspection, and the picture is getting worse** – 70% failed in the first quarter alone. [Source: *Ofsted website, 17<sup>th</sup> May 2019*]
- **Local authority decision-making is in crisis: Parental appeals** to the Special Educational Needs & Disability Tribunal (SENDIST) have **increased by 80%** since the SEND reforms began. **Parents win nine in ten SENDIST appeals that reach a hearing.** [Source: *HMCTS Tribunal Statistics Quarterly*]
- **Complaints to the Local Government & Social Care Ombudsman about SEND have risen by 150%** since 2015. The LGO upholds 87% of these complaints – the highest of any category they investigate. [Source: *LGO evidence to the Education Select Committee SEND Inquiry, April 2019*]
- **Children and young people with SEND are in crisis:** Pupils with SEND account are six times more likely to be excluded from English state schools than pupils without SEND. On average, just 6% of people with learning disabilities are in paid employment. [Sources: *Department for Education, "Permanent and fixed-period exclusions in England"*; *IPPR North "Plans that work: Employment outcomes for people with learning disabilities"*, April 2019]
- FOI data from the Health Service Journal shows in 2017-18, more than 500 children needing Tier 3 Child and Adolescent Mental Health Services (CAMHS) have waited over a year to start their treatment. Half of the 11,482 children needing treatment waited more than 18 weeks following their initial assessment. Only 14% began treatment within four weeks. True figures are likely to be much higher, as only 30 out of the 50 trusts approached by HSJ responded to the FOI requests with this year's data. [Source: [Young Minds](#), August 2018]

## Where are we demonstrating?

SEND National Crisis UK - Local March locations are:

London – Parliament Square | Berkshire | Hertfordshire | Derbyshire (Matlock County Offices) | Buckinghamshire | Surrey (Guildford) | Warwickshire & West Midlands (Leamington Spa) | Sussex | Liverpool (The Bombed Out Church) | Cumbria | Birmingham & Walsall (Victoria Square, Birmingham) | Isle of Wight/Hampshire | Dorset | Greater Manchester (Piccadilly Gardens) | Suffolk (Cornhill Ipswich) | Worcestershire & Herefordshire | Yorkshire & Humber (Outside Leeds Art Gallery) | Brighton & Hove | Manchester | Essex (Colchester) | Cambridgeshire (Peterborough) | North Wales (Rhyl) [NB The SEN system is different in Wales, where they are currently going through their own reform of the Additional Learning Needs process)

Hashtags: #SENDNationalCrisis #SENDNationalCrisisMarch #OurKidsMatter

## Information on the co-founders, Poppy Rose and Nadia Turki

---

### Poppy Rose:

I am a single parent to two boys aged 19 and 14. My youngest son had early diagnoses of Dyspraxia, Hypermobility, Severe Sensory Processing Disorder, Global Developmental Delay, and Sleep Difficulties. He received further diagnoses of ASD and Severe Anxiety aged 12.

My son attended a mainstream primary school where his needs were managed. Early intervention and adequate support enabled him to achieve Level 5 SATS results. Although he was progressing academically, there were concerns that the transition to secondary would be difficult for him and he would struggle with the environment and general pace of mainstream secondary education without an EHCP.

My son started a mainstream secondary placement and the difficulties became apparent very quickly. Aged 12, his anxiety became so severe that he was suicidal. He was so socially anxious that he was deemed too unwell and signed off from school medically by CAMHS, who actually stated that lack of support at school was the reason for my son's ill health. I made a parental request for an EHCP and so the battle began!

I spent hours reading the SEND Code of Practice and the Children and Families Act. Social media parent groups were my absolute lifeline. I began chatting with Nadia through one of these groups and although the distance between us is hundreds of miles, we became good friends and SendNationalCrisis was formed.

### Nadia Turki:

My name is Nadia Turki and I have three children. My eldest child was born with bi-lateral Peters Anomaly and was blind from birth. He does have a very limited level of light dark perception and has a number of other related congenital conditions such as hypo-posterior pituitary and hypermobility.

From day one, we have been lucky enough to have an amazing team of medical professions managing my son's constant medical intervention, however his education and social development have been a different

matter altogether. My son has amazing support in school and has always built very strong relationships with his teachers and VI support.

The struggle for inclusive education has been relative to our desire to have a balance of social development. We desired a local Secondary school to enable him to establish local friends and were told that this would not happen as a different Secondary school had already been set up with a provision to accommodate visually impaired students. This was an ongoing battle that we unfortunately lost, and although my son is happy at school, he lacks any level of social life that doesn't rely on his parents' input and transport etc.

So this was why I started to look at the current SEND structure and legislation. I quickly realised that it is flawed and that thousands of children and young people were not being provided with correct or adequate education provisions... HEY PRESTO, @SENDNationalCrisis was born!

In just a few weeks, the group had gained thousands of members showing the true extent of a clearly flawed system. We have seen severe cuts; the largest in generations to education, health and social care budgets. Highly vulnerable children are being denied crucial services and provision.

We find ourselves in a process that is mentally, physically, emotionally, and financially draining. We are seeing loss of employment, remortgaging of homes, families and relationships destroyed, severe mental health crises, suicide even. All to ensure our children have their needs met and the support they are not only entitled to, but that they actually need.

The current SEND Code of Practice is nothing but an empty promise, whilst there is no accountability for the direct failings and discrimination we face trying to access our children's fundamental right to education.

We believe the current SEND Reforms 2014, are not effective and should be evaluated with parent/carer consultation. I once heard, 'You can fiddle with the engine, shout at the mechanics, pour money down the drain, service after service, but if the machine's broken, it's broken!' We don't need more tinkering with the old system, we need a new system! Until there is a culture change, all the money in the world won't change a thing!

There are planned marches rallies and family events across the UK on the 30th May to raise awareness of failings to those with SEND, their families, and education settings who are expected to provide an adequate education on continuous budget cuts.