



Dear Prime Minister,

We are an alliance of disabled people's organisations, national and local charities, parent/carer groups, human rights groups, academics and individuals that support the rights of disabled children and young people. We are writing to you to highlight the difficulties that disabled children and young people are currently facing in accessing an education and to outline our concerns about the cross government SEND Review.

On 6th September we launched the Let Us Learn Too campaign. Disabled children and young people should be able to access an education that meets their needs and supports them to learn, be happy, and succeed on their own terms. We invite you to watch the video and support Ellie-Mae's call for an education that has her - and all disabled children and young people - in mind.

In 2019, the Education Select Committee's SEND Inquiry report painted a devastating picture of the state of SEND provision and since then the situation has deteriorated further (see attached evidence). Disabled children and young people have been disproportionately disadvantaged by the impact of Covid and school/ college closures.

The current cross government SEND Review was initiated, and its scope subsequently widened, to address these issues. However, we have serious concerns about the way it is being conducted. The SEND Review has taken almost two years so far and has been delayed three times. Moreover, there has been little transparency about who has contributed to the Review. Disabled children, disabled young people and their parents/carers should have been at the heart of this vital work, but so far, other than through the National Network of Parent Carer Forums (which, whilst doing a very good job, cannot, and does not, present as being the sole representative voice of parents, carers and young people with special educational needs) those most directly affected have been largely excluded and even misrepresented. If this continues there is a significant risk of repeating the implementation mistakes of the 2014 reforms.

We simply cannot stand by and allow this to happen. For positive change to occur it's vital that our views and experiences are heard and acted upon and that we are fully involved in decisions that could have life changing consequences for us. We therefore ask that you:

1. Don't weaken the law

We agree with the Education Select Committee's recommendation in the SEND Inquiry report that the Government should resist the temptation to weaken or water down legal duties. The recent refusal of Children and Families Minister Vicky Ford to confirm that the government will



maintain all existing legal entitlements for children and young people with special educational needs and disabilities (SEND) has been the cause of considerable unease.

It's only seven years since the Government made changes to SEND legislation, following extensive research and consultation. These changes built on existing rights for disabled children and young people. Weakening these rights before giving them a fair chance to succeed through proper implementation and support would undo decades of protection and progress.

We have already seen the destructive consequences of the temporary weakening of legal duties under the Coronavirus Act 2020 and related legislation. Disabled children and young people lost essential special education provision and support, which damaged their mental and physical health, undermined their educational outcomes and left some children and young people unable to access education at all.

2. Improve accountability

Widespread lack of accountability is one of the main reasons the current system is failing, and without improvement whatever follows will fail too. The SEND Review needs to prioritise strengthening accountability measures, including close monitoring of the sufficiency and performance of local authorities' specialist support services.

There must be urgent intervention and robust consequences when individuals or organisations fail to meet their legal duties to disabled children and young people or discriminate against them. Disabled children and young people and their families also require fair access to independent legal advice and support.

3. Monitor effective use of funding

The SEND Inquiry report identified the significant shortfall in funding as a serious contributory factor to the failure on the part of schools, colleges and local authorities to meet the needs of children and young people with SEND. We appreciate that the Government has since increased the size of the High Needs Block. Regrettably this funding has been used primarily to reduce existing local authority deficits resulting from inadequate funding for the 2014 reforms.

In order to address the disadvantage disabled children and young people are currently experiencing in accessing education it's essential that SEND funding is sufficient and effectively ring-fenced, the way it is used and its effectiveness is monitored, and budget holders are made accountable.



4. Invest in inclusion and early support

Too often provision and support for disabled children and young people is delayed until they reach crisis point, causing distress and long-term damage. Schools and colleges must be adequately funded, resourced and supported to be inclusive, with appropriate, early (and where necessary intensive) provision put in place to meet the needs of all disabled children and young people and support them to achieve their ambitions. This investment would benefit disabled and non-disabled children and would be a more effective use of funding than the current cycle of exclusion, crisis intervention and deficit reduction.

We urge you to take immediate and effective steps to improve outcomes for disabled children and young people and to intervene to change the trajectory of the SEND Review, ensuring transparency and meaningful engagement with disabled children and young people and their parents/carers as equal partners throughout, not as an afterthought when key decisions affecting our future have already been made.

We would welcome the opportunity to discuss this further. Please could you ask your senior policy officials to be in touch to acknowledge receipt of this letter, and the process to be adopted in taking on board our appeal to you.

We look forward to your response.

Yours sincerely,