



**Question 17: What are the key metrics we should capture and use to measure local and national performance? Please explain why you have selected these.**

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## SNJ's response to Question 17

1. This should be a question about accountability as, when you are talking about children and young people with SEND, you cannot have a single measure of achievement. The metric is the number of children with SEND achieving their personal outcomes, whether that is 10 A\*s at A Level or mastering a life skill.
2. You already have the key metrics that should be met:
  - 2.1. How many EHCPs are completed on time (and not put back into draft immediately afterwards)? Target = 100%
  - 2.2. How many parents need to access mediation or appeal for SEND reasons. Target = 0% (and not because it's too difficult, because they have no need to)
  - 2.3. How many children are excluded? Target = 0%

- 2.4. How many complaints are (a) made to (b) upheld by the LGSCO about SEND. Target = 0%
- 2.5. How many appeals to the SEND Tribunal are made about disability discrimination? Target = 0%
3. You could also ensure that the IAS Service submits data about their service about the number of cases to do with SEND disputes they handle. Of course, you would have to properly resource them first.
  4. On 'inclusion dashboards', measuring the number of children with EHCPs will not tell you how many of those EHCPs are "worth the paper they're written on" or whether outcomes are useful or aspirational. It should be auditable by asking parents to submit feedback on the process with standardised questions about their satisfaction, which should be reportable and the deadline data published on the Local Offer website.
  5. It won't tell you whether a child with SEND is happy with their school and support. But this should be a measurable target.
  6. It won't tell you whether every child who needs an EHCP has one.
  7. It won't tell you why a child ended up needing a plan - and this doesn't mean the name of their condition, it means if better early support could have avoided the need for a plan and for how long they were failed before a plan became necessary. Parent satisfaction data tracking could achieve this. This would need to be submitted direct to the DfE rather than the school or parents will not feel comfortable being honest. While Ofsted has Parent View, this could be expanded to track this kind of parental satisfaction metric every year.
  8. An inclusion Dashboard won't tell you how many teachers had SEND CPD in the last year, but this data should be trackable
  9. It won't tell you how many parents were included in planning their child's provision. But this should be able to be tracked
  10. It won't tell you how many parents were told their child needed SEN Support only long after their child was placed on it. But it should be possible to track this with the right data collection.
  11. Tracking school absence rates in and of themselves won't tell you why a child who is persistently absent cannot go to school, or whether a child with or without an EHCP has been placed unlawfully on a part-time timetable. But these should be tracked with the right codes and they

should flag up poor practice. As one parent below notes: *“If you went to your employer with a mental health condition that was being aggravated by a situation at work, would you expect to be forced to attend that place without any adjustment? Would you expect to be denied belief in your condition? Because that is what happens every day to significant numbers of children. Until you understand WHY a child is absent and demonstrate that you are listening and willing to support that child and to recognise that as with any medical condition, mental health issue or learning difficulty - not every day is the same and some days are just too difficult, then you will never achieve an improvement in attendance.”*

12. Inclusion Dashboards won't necessarily tell you how long a child has been waiting for an Education Psychology or Autism Outreach Assessment. But these things can be tracked easily using the right software.
13. It won't tell you how long a child has been waiting for a CAMHS assessment or whether they have been refused one. Again, this should be trackable. But then, when you know, what can you do about it? Where are the additional CAMHS staff, counsellors and psychiatrists going to come from?
14. Tracking where children with SEND go after school - not just one year later, but five years later, should be trackable. Has the EHCP been ended? Why?
15. Tweaking the 'league table' system, so that it's easier for people to find out which schools and colleges do a good job for children and young people with SEND. By implication, the DfE may also want to do this to reduce the chances that schools will see pupils with SEND as a threat to their league table position.
16. But most importantly is what happens to the data after it has been tracked. How is it used to understand the school and the local area? How is it used to hold public services to account? How is it used to improve schools and services both individually and strategically? Not only this but what happens when a school or area persistently performs poorly? Are jobs lost? Is extra support put in? These must be determined at the same time as what is to be measured for anything to be truly accountable.

## Responses from parents/SNJ readers

***NB: These views are those of parents for whom we have acted as a conduit for their response to the Green Paper. The views expressed from here are not necessarily those held by Special Needs Jungle.***



1. Educational attainment rates - the attainment of a pupil with SEND cannot be compared to those of their mainstream peers. They also deserve to have ambitious educational goals that they are appropriately and consistently supported and encouraged with. They should not have easily achievable targets projected onto them (back to the “ a bit of a gardening job would be lovely” scenario here) and nor should they be forced to take on more than they can manage. Better to see learning as lifelong and keep it positive. Schools place far too much emphasis on final exams anyway. If you have courses with assessments along the way, these are more flexible and achievable for many children with SEND. But you took all those away.
2. School absence rates - if you went to your employer with a mental health condition that was being aggravated by a situation at work, would you expect to be forced to attend that place without any adjustment? Would you expect to be denied belief in your condition? Because that is what happens every day to significant numbers of children. Until you understand WHY a child is absent and demonstrate that you are listening and willing to support that child and to recognise that as with any medical condition, mental health issue or learning difficulty - not every day is the same and some days are just too difficult, then you will never achieve an improvement in attendance. Until you accept that some placements are just WRONG for some children then you will never get them to attend a place of education that they do not belong in.
3. Percentage of pupils with EHCPs - why is there a desire to measure how many children have an EHCP? This is a very negative thing. Why are EHCPs seen as negative. They were designed (and I was assured of this by one of the team who was involved in the overhaul of SEND just 8 years ago) to be easier to obtain as they were simply a clear and detailed description of a child's needs and diagnosis and what they needed to enable them to take part in education. They were portable and saved parents and education providers repeating themselves and they provided the reassurance of a consistent approach. LAs and Educational Providers promptly decided to see them as a bad thing - as something

that suggested they were in some way failing. And in the absence of the right tools to provide for children they resorted to aggressive denials that problems existed and a culture of blame directed at children and parents (the particularly nasty accusation of Fabricated and Induced Illness is a classic example of this). And you wonder why we turned to the actual LAW to protect our children and seek to gain access to more appropriate educational establishments. Would you send your child to a place they were not wanted, were treated badly in? You were happy to allow LAs to pay lip service to the law and employ costly barristers to fight parents. It is funny how many LA staff are off with the stress and anxiety they refuse to acknowledge exists in our children.

4. waiting times for community health services - this is a pointless measurement unless it is staffed properly to meet demand. Until then, wait times will always be excessive and the tactic used will be to avoid referring.
5. An "inclusion dashboard" will rely on data that will often be stripped of context. How vulnerable is this data to misreporting, massaging, or outright manipulation? It is impossible to see an Inclusion Dashboard as anything but negatively set against children with SEND. The very word "inclusion" is loaded with negativity and wantonly twisted to suit what LAs and educational providers would prefer it to mean (something easy and cheap) since to most LAs and educational providers inclusion seems to mean forcing children to do something. True inclusion is amending an environment/activity/event for each individual in such a way that they feel they have all the tools and support needed to participate in a positive way. A better word to use is BELONGING. Inclusivity is only met when a child feels they belong.
6. Why are you not looking to measure a child's mental health and self-esteem? Why are you not looking to measure staff approach to supporting children in a meaningful and positive way? Why are you always looking to blame the child and/or the parent?



1. I believe that the existing law needs to be enforced properly. The overriding problem with the current system is that local authorities don't abide by the law. The Tribunal makes the same decisions on the same points against the same local authorities time and time again, and yet they carry on with their unlawful practices. Therefore, the key metric to

capture is the extent to which LAs abide by the law. This can be measured by seeing how many appeals at the SEND Tribunal and how many decisions by the Local Government and Social Care Ombudsman go against them, and on what points. From this, it will be apparent if a particular local authority is consistently misinterpreting the law on (for example) assessment, specification of provision and choice of school, and the government should publish this information so that future parents don't have to keep appealing on exactly the same points.

2. "I strongly disagree with the premise of this question. These proposals should not be implemented at all.
3. These proposals are, in themselves, the biggest potential "barrier to success" that this generation of SEND children and their families has ever had to face. They will strip children and families of their hard-won rights and make it much harder to seek redress. They will stop children with SEND from succeeding in education and in life.
4. The biggest enabler of success for children and young people with SEND will be the enforcement of the current law, with proper accountability where LAs break the law.



1. The suggested metrics are inappropriate and reflect the intended nature of the bill which is to reduce costs without considering the children. More important metrics are those pertaining to the child and the performance of the school
  - a. Collating delivery against need,
  - b. improvement or otherwise of delivery
  - c. Educational attainment



1. How will the data on an inclusion dashboard be monitored for accuracy and comparison? Surely one measure of local and national performance could be simply measured by the number of children successfully

engaged in meaningful work? Mental Health should be used as a measure of performance too. Why are these measurements not already a statutory component of reporting?



1. Some of the metrics should include:
  - a. Number of complaints registered with LAs over:
    - i. contents of EHCPs
    - ii. lack of provision as specified in EHCPs
    - iii. time taken to complete needs assessments
    - iv. timescales breached for completing/amending EHCPs
  - b. Percentage of children with EHCPs whose parents/carers issue complaints and tribunal proceedings
  - c. Amount spent by LAs on unsuccessfully defending claims at tribunal
2. I have chosen these because LAs routinely do not follow the law nor treat their duties with respect. The SEND system cannot work if it does not command the confidence of parents, and in my experience, that confidence is lost when LAs do not follow the law. They even gaslight parents about the lawfulness of their unlawful actions. The metrics given above would capture both where LAs were failing in their duties and how much confidence parents/carers had in the decisions made by LAs.