

NASS Consultation Response



Consultation: SEND REFORM

Consultation response closing date: 18th May 2026

Consultation response submission ID: ANON-DHMM-SUSG-8

Consultation webpage: [SEND reform: putting children and young people first - Department for Education - Citizen Space](#)

Consultation response submission date: 15th May 2026 9.21 am

Consultation response email: SENDreform.CONULTATION@education.gov.uk

We have outlined in the table below our formal response to the Citizen Space response as well as our additional response (in italics), that we have provided as additional submissions, to areas that we believe are not covered sufficiently in the consultation questions provided and the character limits given. We also are submitting three separate thought pieces on key issues of concern for our members. These are:

- **Independent Special Schools (ISS)**
- **The role of special schools**
- **Specialist Provision Packages (SPP)**

We ask that you consider all elements of our response as a formal NASS response. We would be happy to provide further information, clarification or evidence if required.

Consultation Questions	Response
<p>Next stage of the National Conversation</p> <p>Additional response</p> <p><i>The National Association of Special Schools (NASS) welcomes the opportunity to respond to the SEND Reform 2026 consultation and is keen to add constructive value to the debate. However, we are disappointed by the overall approach taken by the Department for Education (DfE), which we believe limits the ability of stakeholders to provide an informed and meaningful response.</i></p> <p><i>While the consultation sets out high-level proposals, it lacks the detailed information that is essential to assess potential impact on children and young people with SEND, their families, and the specialist providers that support them. In several key areas—particularly funding mechanisms, accountability arrangements, timescales for implementation, and the future role of special schools—there is insufficient clarity to enable confidence in the proposed direction of travel.</i></p> <p><i>NASS members are concerned that reforms appear to be advancing without the necessary evidence base or operational detail to demonstrate how outcomes will be improved for children with complex needs. The absence of confirmed detail also risks unintended consequences for the most vulnerable learners, particularly if reforms are implemented before systems, capacity, and workforce readiness are assured.</i></p> <p><i>We are particularly disappointed that the consultation does not more clearly reflect co-production with the sector and with families, nor does it address how specialist expertise will be safeguarded and effectively integrated within any reformed system.</i></p> <p><i>NASS remains committed to engaging positively with DfE. However, we strongly urge the government to pause, provide greater transparency, and work collaboratively with the SEND sector to develop detailed, workable proposals that genuinely improve outcomes and restore confidence in the system.</i></p>	

<p>Q1. We want children, young people and their families to be involved in making better, evidence-based decisions about SEND, both in their local area and across the country. How can we make sure children, young people and their families have a genuine say in these decisions?</p>	<p>Children, young people and families will only have a “genuine” say if involvement goes far beyond consultation exercises that are tokenistic, time-limited or inaccessible.</p> <p>Decisions must be co-produced with families and young people from the earliest stages, particularly those with complex and low-incidence needs who are often under-represented. This requires investment in accessible communication, advocacy, and trusted intermediaries such as special schools, who know families well and can support informed participation. Listening solely to the most vocal or the usual suspects risks reinforcing existing inequalities.</p> <p>Current reforms place heavy emphasis on national consistency and efficiency, but this can dilute local expertise, specialism and lived experience. Evidence-based decision-making must value professional and parental evidence equally, including qualitative insights from special schools about what works in practice. Families need feedback loops that clearly show how their views have shaped outcomes; without this, consultation quickly becomes performative.</p> <p>Finally, accountability must sit with decision-makers, not families. Genuine participation means being prepared to change direction when evidence from children, young people and families’ challenges policy assumptions, rather than fitting their voices to pre-determined reforms.</p> <p>(1345 characters)</p>
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Q2. How can we make sure that high-quality evidence and best practice inform decisions about SEND? Please share examples.

High-quality evidence and best practice should inform SEND decisions through a system that values professional expertise, lived experience and holistic outcomes, alongside research and data.

DfE guidance and accountability frameworks should promote a broad definition of evidence. For CYP with SEND, particularly those with complex needs, progress is often non-linear and not adequately captured by standard academic measures. Decisions should therefore draw on a combination of professional judgement, longitudinal assessment, therapy outcomes, and the views of CYP & families.

Special schools hold extensive practice-based evidence about what works, developed through sustained experience and evaluation. This expertise should be systematically embedded in local and national decision-making, including commissioning, placement planning and workforce development. Specialist settings should be recognised as centres of expertise, not solely destinations for placement.

Data should support early identification and appropriate provision, not act as a gatekeeping mechanism. The DfE can support this by encouraging integrated education, health and care data, interpreted alongside qualitative evidence.

Finally, evidence must be used within learning systems that review impact over time. Accountability should focus on outcomes that matter to CYP with SEND, such as wellbeing, placement stability and successful preparation for adulthood, ensuring decisions are both evidence-informed and child-centred.

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Action research methodology

Additional response:

NASS member schools routinely use **action research methodologies** to ensure that interventions are evidence-informed, responsive to context, and rigorously evaluated. This approach aligns well with the ambitions of the SEND Reform Consultation 2026 and the Schools White Paper, particularly around system learning, inclusion, and improved outcomes for children with SEND.

Action research provides a **disciplined professional inquiry cycle** identifying a clearly defined need, engaging with existing research evidence, implementing a structured intervention, collecting data, and reflecting on outcomes to inform next steps. Crucially, this cycle supports adaptive improvement, rather than one-off initiatives.

Across NASS member schools, action research is frequently embedded within **whole-school improvement planning**. For example, a residential special school supporting autistic learners used action research to refine sensory regulation strategies. Staff developed a hypothesis based on pupil behaviour data, trialled a co-designed sensory toolkit, and measured impact through attendance, incident logs and pupil self-report. Findings directly informed staff training and resource allocation.

In another NASS member school for pupils with SEMH, action research was used to evaluate a trauma-informed mentoring intervention. The school tracked baseline emotional regulation indicators, implemented the intervention over two terms, and reviewed outcomes using mixed methods (quantitative behaviour data and qualitative staff reflection). The structured inquiry enabled leaders to confidently scale effective practice and discontinue less impactful approaches.

Action research also supports **workforce development and retention**, a priority for both the SEND and schools workforce. By positioning staff as co-researchers, NASS schools strengthen professional agency, reflective practice and shared ownership of improvement.

Importantly, action research brings **rigour without being burdensome**. Data collection is proportionate, ethically grounded and rooted in lived experience. This ensures interventions are not only effective but also inclusive, sustainable and aligned to pupils' needs.

From a NASS perspective, recognising and supporting action research within accountability and improvement frameworks would strengthen the system's capacity to learn, particularly across specialist and inclusive provision.

Part one: putting children and young people first

The three tiers of support

Additional response:

There is no specific consultation question on the principle of the three tiers of support. We therefore offer the following additional comments.

1. Fundamental concerns

The proposed three-tier model aims to provide a clearer, graduated response to need. However, as currently described, it **risks replacing one opaque and inconsistent system with another, without addressing the root causes of delay, inequity and fragmentation**. The tiers are framed in broad, aspirational terms but lack essential operational detail. There is **insufficient clarity on what each tier entails, how children move between tiers, who determines placement, and what rights and entitlements apply at each level**. Without this detail, the model risks functioning as a mechanism for rationing support rather than enabling timely intervention.

2. Unclear thresholds and gatekeeping

A major weakness is the **absence of defined thresholds for accessing and moving between tiers**. The consultation does not specify what evidence is required, how need will be assessed, or whether thresholds will be nationally consistent. This

*creates a significant risk of gatekeeping driven by local capacity and budgets rather than need. Families are likely to face inconsistent decisions, repeated requests for evidence, and delays while disputes arise over whether need is “sufficient”. Rather than simplifying pathways, the **model may multiply points of refusal, forcing children to fail at lower tiers before accessing appropriate support.***

3. Relationships between tiers

*The consultation provides little explanation **of whether a child needs to move through tiers sequentially or can enter at a higher point.** It is unclear whether movement is fluid, whether progression is linear, or whether children can access higher tiers directly where need is clear. Without explicit guidance, there is a risk that children will be required to move sequentially through each tier regardless of appropriateness. For those with complex or rapidly escalating needs, this would delay access to essential specialist support.*

4. Children whose needs are first identified after age five

*There is a critical lack of detail on **how children identified with SEND after the early years will be supported.** The consultation **does not clarify whether fast-tracking to specialist provision will be possible,** or whether children must progress through each tier sequentially. Many needs only become apparent as demands increase, are masked earlier, or escalate due to unmet need. Requiring progression through multiple tiers risks prolonged unmet need, increased anxiety, exclusion and unreasonable burdens on families and schools.*

5. Increased burdens and inequality

*Without clear thresholds and fast-tracking safeguards, **responsibility is likely to shift onto families and schools to gather evidence of escalating needs and to repeatedly advocate for progression.** This will disproportionately disadvantage families with fewer resources or capacity, entrenching existing inequalities.*

Conclusion

*As proposed, the three-tier system **lacks the clarity, safeguards and child-centred focus required for meaningful reform.** It fails to define enforceable thresholds, prevent gatekeeping, ensure timely movement between tiers, or protect children identified after age five from unnecessary delay. Without addressing these issues, there is **a serious risk that the reforms will increase bureaucracy and inequity rather than delivering a fair, timely and needs-led SEND system.***

Q3. How can we ensure that children are best supported by the Universal offer?

The proposals place increased emphasis on the Universal offer, yet do not sufficiently address its current lack of suitability for children with SEND. Universal services remain rooted in models of “typical” development and behaviour, creating structural and practical barriers for children whose needs fall outside these norms.

In practice, rigid systems, inaccessible environments, inflexible attendance expectations and limited communication adjustments mean many children are unable to engage meaningfully. Rather than preventing escalation, the Universal offer often excludes children early, pushing families into crisis pathways before support is unlocked. This directly undermines the reform ambition of early intervention.

A key weakness in the proposals is the focus on structures over culture. Without a fundamental cultural shift—from viewing SEND as an exception to recognising it as a core part of universal provision—change will be limited. Too often, children are judged against service capacity, rather than services being adapted to meet children’s needs.

Workforce training, specialist input and protected time are essential, yet currently unrealistic without significant investment. The reforms must address not only what the Universal offer should do, but how culture, accountability and funding will ensure it works in practice for children with SEND. This won’t change until government holds the rights of CYP & families to access education that meets their needs above all else.

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<p>Q4. How can we ensure that children in the Targeted layer, are best supported?</p>	<p>Children in the Targeted layer (TL) will only be best supported if the offer is clearly defined, properly resourced and with enforceable accountability. As proposed, it is under-developed and risks becoming a residual category that absorbs unmet need. There must be clear thresholds, entitlements and expected outcomes, underpinned by national standards, to avoid postcode variation—especially for children with autism, SEMH and co-occurring needs. TL must not be used to delay or avoid statutory assessment, but to provide timely specialist intervention with clear escalation routes.</p> <p>A stronger TL cannot rely on mainstream settings alone while workforce shortages, limited specialist expertise and rising demand persist. Expectations must be matched with mandatory training, protected funding and access to specialist provision; otherwise, outcomes will worsen and exclusions increase. Effective Targeted support must include structured, funded collaboration with special schools (including outreach), health and social care, and access to specialist assessment and intervention. Without this, early intervention will be superficial and short-lived.</p> <p>To succeed, the TL needs ringfenced funding, clear accountability, guaranteed specialist input, and parental confidence that it enhances—not restricts—access to statutory support when needed.</p> <p>(1318 characters)</p>
<p>Q5. How can we ensure that children in the Targeted Plus layer, are best supported?</p>	<p>Children in the Targeted Plus layer will only be well supported if this tier is clearly defined and recognises complexity, escalation risk and the need for timely specialist provision. As proposed, it is not robust enough and risks rebadging existing system failures.</p>

	<p>Targeted Plus is poorly defined and sits ambiguously between Targeted and statutory provision. This risks prolonged support without legal entitlement, delaying EHCPs and specialist placements; in practice, need can escalate, family confidence drops and placements are more likely to break down.</p> <p>The proposals also assume increased mainstream capacity despite workforce shortages, limited specialist expertise and high levels of need. Targeted Plus will not work if it relies on overstretched services providing short-term input where sustained specialist intervention is required.</p> <p>The role of special schools is marginalised. Targeted Plus should include funded access to specialist assessment, outreach and transition planning led by special schools and specialist services; otherwise, children who need specialist pathways will wait too long.</p> <p>To succeed, Targeted Plus needs clear thresholds, time-limited pathways, mandatory multi-agency input and safeguards so it cannot be used to gatekeep access to statutory support.</p> <p>(1323 characters)</p>
<p>Q6. How can we ensure that children in the Specialist layer are best supported?</p>	<p>Children in the Specialist layer must be supported through clearly defined specialist provision. This requires explicit recognition of special schools as an essential part of the system, not a fallback. For many children with complex and profound needs, special schools are the only settings able to meet need effectively and safely.</p> <p>Special schools hold unique expertise in complex SEND, integrating specialist teaching, therapies, behaviour support and adapted curricula. This cannot be replicated through short-term interventions or outreach alone. Inclusion bases can play a role,</p>

but risk being used to contain children and young people with SEND without the necessary teaching and learning expertise. Delays in specialist placements cause lost learning, declining mental health and escalating need. Specialist placements must be timely, needs-led and protected from erosion driven by capacity pressures. Special schools should be commissioned and funded as long-term infrastructure, with sufficient places and staffing to meet demand. Beyond placements, special schools should be system leaders: informing assessment pathways, supporting transitions and early identification, and delivering structured outreach that strengthens mainstream inclusion. A credible Specialist layer depends on valuing special schools as the backbone of provision for the most vulnerable children and recognising specialist education as a positive, necessary choice that delivers dignity, progress and outcomes.

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Updating the SEND Code of Practice

Additional response

Crucially, while the government describes this as an “update” to the SEND Code of Practice, the consultation itself makes clear that it amounts to a fundamental rewrite of the statutory framework, thresholds, duties, and system architecture underpinning SEND from 0–25.

Taken as a whole, the proposals constitute a fundamental restructuring of the statutory SEND framework, with significant implications for legal rights, duties, and accountability.

1. Replacement of the core statutory architecture

The proposals remove the existing SEN Support and EHCP framework and replace it with an entirely new layered system of Universal, Targeted, Targeted Plus and Specialist support, underpinned by new statutory concepts such as Individual

Support Plans (ISPs), Inclusion Bases and Specialist Provision Packages. This is not an update to existing guidance, but a replacement of the system established by the Children and Families Act 2014, requiring a wholesale rewrite of multiple chapters of the Code and a shift in language and terminology for a whole sector.

2. Creation of new statutory instruments while removing existing ones

The introduction of statutory ISPs as the primary planning mechanism for most children with SEND represents a major structural change. ISPs create new duties for schools and colleges, redefine parental involvement, and explicitly sit outside current statutory appeal routes. At the same time, the proposals narrow access to EHCPs and reposition them as an exceptional mechanism for a much smaller cohort. This materially alters how children access enforceable provision and how families can challenge decisions.

3. Significant recalibration of legal rights and redress

The proposals reduce the scope of individual statutory entitlements and move accountability away from enforceable individual rights toward system level assurance. By design, most children supported through ISPs and Targeted / Targeted Plus pathways would no longer have access to SEND Tribunal appeal. This represents a substantial shift in the balance of rights, which goes beyond clarification or simplification and amounts to a change in legal philosophy.

4. Redefinition of thresholds and eligibility

The consultation redefines eligibility for EHCPs and explicitly states that they should no longer be the primary route to provision. This changes long-standing interpretations of statutory assessment thresholds and the relationship between need, provision and legal entitlement. Such a shift has profound implications for families, local authorities and providers, and cannot reasonably be described as incremental.

5. Embedding new system level obligations

The introduction of National Inclusion Standards, new sufficiency expectations, population level planning duties and stronger system accountability requirements fundamentally alters the scope of responsibilities placed on schools, trusts and local partnerships. While these changes may be welcome in principle, they represent new statutory expectations, not refinements of existing ones.

6. Long-term transition away from the current framework

*The proposals explicitly anticipate phased transition, conversion and review of existing EHCPs over time, particularly at key transition points. This confirms that the **intention is not to preserve and update the current Code, but to move the system onto a new statutory footing over the next decade.***

We ask that DfE will hold widespread and timely consultation in the near future when a draft new SEND Code of Practice is developed.

Q7. How do you think early years settings, schools, and colleges can best support the mental health and wellbeing of children and young people?

Mental health and wellbeing support must be delivered through specialist, multiagency practice, not aspirational expectations of mainstream settings alone. For many CYP with SEND, poor mental health stems from unmet need, delayed access to provision, and inflexible systems lacking expertise. Special schools already model effective practice as integrated education, health and care hubs, embedding mental health, therapy and wellbeing expertise in daily provision. This enables early, trauma-informed, relational support; reform should protect and expand this capacity, not dilute it through overreliance on mainstream delivery. Reforms must also clarify how current SEMH designated schools will operate under the new Code of Practice. These settings support pupils with complex social, emotional and mental health needs; uncertainty risks undermining their role, expertise and commissioning routes, with direct consequences for wellbeing. NASS strongly disagrees with the removal of mental health as an educational need. Across all phases, wellbeing requires sustained investment in specialist staff, mandatory neuro-affirmative and trauma-informed training, and enforceable multi-agency accountability. Without this, responsibility is shifted to settings without capacity, and those with the highest needs continue to be failed.

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<p>Q8. Do you agree that the refreshed ‘areas of development’ will support educators to understand and address barriers to learning and participation? Please explain your answer.</p>	<p>No. We have significant concerns about describing the ‘areas of development’ as merely “refreshed”. This understates the scale of change. The revised model represents a substantial shift in how need is conceptualised, moving away from longstanding SEND frameworks that are well understood by special schools, families and professionals.</p> <p>Rather than increasing clarity, this risks confusion and inconsistency, particularly in specialist settings where needs are complex, overlapping and cannot be separated into discrete areas. Special schools are concerned the new structure may oversimplify need and narrow professional understanding, assessment and provision.</p> <p>The lack of an explicit focus on literacy, numeracy and cognition is especially concerning for CYP with moderate, severe and profound and Multiple Learning Difficulties. Their primary barriers to learning do not appear anywhere under the new areas of development.</p> <p>We are also concerned that the role of mental health in education remains unclear. We do not believe the health system currently has the capacity to meet these needs, as evidenced by the long waiting lists pupils already face for mental health support. With rising mental health needs among pupils with SEND, the proposals do not explain how these will be identified, supported or resourced within the new framework.</p> <p>Any change must be transparent about impact, clearly justified, and capable of recognising complex, co-occurring and communication-based needs.</p> <p>(1481 characters)</p>
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Data and technology

Additional response

There are no specific consultation questions on data and technology. Please find below our views on data and technology principles as set out in the consultation document.

NASS critical views on data and technology principles in the SEND 2026 reforms

*NASS recognises the stated ambition of the SEND reform programme to use improved data and technology to support better outcomes, consistency and system oversight. However, the **data and technology principles set out in the consultation remain largely aspirational and lack the operational detail required to give confidence that they will deliver tangible benefits for children and young people with the most complex needs. In their current form, the proposals underestimate the complexity of specialist provision and risk creating additional burden for special schools without clear evidence of impact.***

Impact on special schools

*Special schools operate in contexts of high complexity, supporting pupils whose needs cannot be easily standardised or reduced to simple data points. The consultation does not sufficiently acknowledge this reality. There is a clear risk that the **development of national data systems, dashboards or digital tools will prioritise comparability and system efficiency over the accuracy, professional judgement and nuance required to understand complex SEND.***

Special schools frequently work across multiple local authorities and with a wide range of health and care partners. Without genuine interoperability between existing systems, data and technology reforms are likely to increase duplication, workload and inconsistency. The consultation is notably silent on how these challenges will be addressed in practice or how additional burdens on specialist providers will be mitigated.

Many special schools, including smaller and non-maintained settings, do not have equivalent access to digital infrastructure, specialist IT support or capital investment. Introducing new technical expectations without dedicated funding and implementation support risks widening inequalities between settings and diverting scarce leadership and staff capacity away from direct support for pupils.

Lack of clarity and unresolved questions

*NASS is concerned by the **absence of detail on how the data and technology principles will be translated into operational requirements.** In particular, the consultation does not clarify*

- *What new data collection or reporting expectations will be placed on schools, and to what timescales*
- *Whether participation in new digital systems or platforms will be mandatory for all types of provision*
- *How existing MIS, health and local authority systems will be aligned to avoid duplication*
- *What funding, training and transitional support will be available specifically for special schools*
- *How data protection, consent and safeguarding will be managed when sensitive SEND information is shared across agencies*

*There is also insufficient clarity about **how data generated through these systems will be used, by whom, and for what purpose**. Without safeguards, there is a risk that data could be used to justify funding restraint, challenge placements, or drive compliance activity rather than support inclusive, needs-led decision making.*

Areas of concern

*NASS is particularly concerned about the **implicit assumption that better data will automatically result in better outcomes**. Data and technology are only as effective as the policy choices, resources and professional cultures that underpin their use. Overreliance on data risks marginalising those children and young people whose progress cannot be easily captured through quantitative measures.*

We are also concerned about

- *The potential for increased administrative burden during implementation and transition*
- *The risk that accountability for system shortcomings is displaced onto individual schools*
- *The security and ethical management of highly sensitive personal data*
- *The absence of clear mechanisms for meaningful co-production with specialist providers, families and learners*

*NASS strongly believes that **data and technology should act as enablers, not drivers, of SEND policy**. As set out, **the principles lack sufficient clarity, safeguards and resourcing to ensure they support, rather than constrain, high-quality specialist provision**. Without a clearer articulation of implementation, funding and accountability, there is a significant risk that these reforms will add pressure to an already overstretched system and fail to improve experiences or outcomes for children and young people with the most complex needs.*

NASS urges the Department to slow implementation, engage directly with specialist providers, and set out a clear, realistic and fully funded roadmap for data and technology reform that reflects the complexity of the SEND system.

Support for children and families in the earliest years of life

Q9. What arrangements would best support effective joint working between early years providers, Best Start Family Hubs, health, local authorities, and parents for children with SEND in the early years?

Effective joint working for children with SEND in the early years needs stronger, mandated coordination than exists now. From a NASS special school perspective, arrangements must move beyond informal information sharing to clear accountability, shared expertise and sustained resourcing. Best Start Family Hubs should be a single, well-resourced coordination point, with consistent input from health visitors, early years SEND specialists and local authority inclusion teams. Too often, engagement is fragmented and capacity limited, relying on individual relationships rather than system design. Joint working needs shared training, aligned thresholds and agreed pathways for early identification and intervention. Specialist expertise must be embedded early. Special schools and specialist providers are frequently excluded from early years planning despite deep knowledge of complex and low incidence needs. Outreach, consultation and transition planning should be routinely commissioned and funded, not optional or short-term. Parents must be equal partners. This requires transparent communication, coordinated plans and realistic timescales; delays, inconsistent advice and variable access to support undermine trust and outcomes. Without national expectations on joint working, protected time for collaboration, and funding that reflects the real cost of inclusive early provision, improvement will remain aspirational.

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Q10. How can the early years foundation stage (EYFS) two-year old progress check and the Healthy Child Programme development review be improved so that children's needs are identified and supported more quickly? Please share examples.

The EYFS two-year progress check and the Healthy Child Programme review still do not identify need early enough for children with complex, low incidence or emerging SEND.

Improvements should include:

- Mandatory joint working between early years settings, health visitors and SEND services, with shared records and clear escalation when concerns persist.
- Stronger focus on communication, social interaction, sensory processing and regulation—early indicators for many children later needing specialist provision, but too often minimised or labelled “immaturity”.
- Clear thresholds and timescales for referral to portage, speech and language therapy and educational psychology, avoiding repeated “monitor and wait” cycles.
- SEND specific training for health visitors and early years staff, codesigned with special schools, so assessments reflect atypical developmental pathways, not narrow norms.
- Parental concerns given equal weight particularly reports of regression, distress or exclusion from early years settings. Special schools often receive referrals after age four despite concerns recorded at two, leading to delayed support, escalating behaviours and reduced readiness to learn. Earlier, joined up identification would improve outcomes and reduce later pressure on specialist placements.

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National Inclusion Standards

Additional response

There isn't any consultation questions provided to express our views around the national inclusion standards format and principles. Below are our comments on the principles and format of national inclusion standards.

*We support the ambition to strengthen inclusion, however, the **current proposals in terms of National Inclusion Standards lack sufficient clarity, definition and assurance for special schools and for children and young people with the most complex needs.** The absence of specific consultation questions on the standards themselves limits meaningful engagement and risks overlooking significant implementation challenges.*

*The principles underpinning the National Inclusion Standards are high-level and aspirational but insufficiently defined. There is **no clear explanation of how inclusion will be understood, measured or safeguarded in practice.** From a special school perspective, there is a risk that inclusion is conflated with placement in mainstream settings, rather than understood as meeting need through appropriate provision, safety, wellbeing and progress, delivered in the right setting for each child.*

*The proposals do not adequately recognise that special schools are inclusive by design for many learners with complex, severe or multiple needs. There is **no explicit reassurance that the standards will protect the ongoing availability and development of specialist provision,** or recognise the expertise, infrastructure and multidisciplinary support that special schools provide.*

*The format and status of the National Inclusion Standards remain unclear. There is **no information on whether they will be statutory, how they will interact with existing SEND duties, or how consistency will be ensured across local authorities and different types of provision.** It is also unclear how disputes about meeting the standards will be managed.*

*There is a **notable absence of detail on thresholds, capacity and feasibility.** The proposals do not address how the standards will account for*

- The complexity and variability of need*
- Workforce and specialist skills shortages*
- Physical and environmental limitations in mainstream settings*

Without this clarity, there is a risk that children remain in unsuitable placements for longer, and that schools are held to expectations that are neither achievable nor safe.

*The proposals also **lack clarity on the relationship between mainstream and special schools**, including expectations around early access to specialist advice, transparent pathways into specialist provision, and the role of special schools in outreach and system leadership. Crucially, there is no detail on how such roles would be funded sustainably. Finally, there is **no clear framework for monitoring, accountability or review**, nor how the impact of the standards on outcomes for children and young people with the most complex needs will be evaluated or adjusted over time.*

As noted, while the intention to improve inclusion is welcomed, the National Inclusion Standards proposals currently lack the specificity, safeguards and systemic alignment required to build confidence. Greater detail and explicit recognition of specialist provision are essential if the standards are to improve outcomes rather than oversimplify a complex system.

Q11. What should the top three priority areas be for building and sharing evidence within the National Inclusion Standards?

Evidence within the National Inclusion Standards must reflect the complexity of need and the realities of specialist provision, rather than relying on mainstream proxies.

1. Meaningful inclusion for pupils with complex and low-incidence needs.
Evidence should prioritise outcomes beyond physical placement in mainstream, including communication, regulation, wellbeing, independence and readiness to learn. It must recognise when specialist provision is the most inclusive option and avoid equating inclusion solely with time spent in mainstream classrooms.
2. Impact of resourcing, workforce expertise and environments.
Robust evidence is needed on how staffing ratios, qualifications, therapeutic input and adapted environments affect pupil progress and safety, including the impact of under-resourcing

and delayed access to specialist support, which disproportionately affect pupils with SEND in special schools.

3. System effectiveness and transitions across the SEND continuum.

Priority should be given to evidence on transitions (early years to school, mainstream to special, and post-16), joint commissioning, and collaboration between mainstream and special schools and local authorities. Evidence must show where inclusive intent is undermined by system constraints and inconsistent thresholds. Overall, evidence-sharing should amplify specialist expertise, use qualitative alongside quantitative data, and be shaped with – not about – pupils, families and specialist providers.

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Reasonable adjustments

Additional response

*The SEND Reform Consultation 2026 makes repeated reference to inclusion, early intervention and improved consistency across the system. However, it is **notable that there are no specific consultation questions addressing reasonable adjustments, despite them being a core legal and practical mechanism through which inclusion is achieved for children and young people with SEND.***

*From a NASS perspective, this omission is significant. **Reasonable adjustments are not optional enhancements; they are a statutory duty under the Equality Act 2010 and a day-to-day reality for specialist provision.** Their absence from the consultation questions risks reinforcing a system level blind spot, where reasonable adjustments are assumed rather than planned, resourced or monitored.*

While the consultation emphasises mainstream capacity and consistency, it does not sufficiently acknowledge that many children and young people require extensive, anticipatory and highly individualised adjustments that go beyond what

mainstream settings can reasonably provide. Special schools routinely design environments, staffing models, curricula and therapeutic input around reasonable adjustments as a foundational principle, not an exception. This expertise is largely invisible in the proposals.

Furthermore, the consultation's focus on standardised pathways, thresholds and outcomes risks narrowing the interpretation of need. **Reasonable adjustments are, by definition, context specific and responsive to individual barriers.** Without explicit attention to how adjustments will be identified, reviewed and funded, there is a danger that children whose needs do not fit standardised models will experience increased exclusion, informal off rolling or unmet need.

NASS is also concerned that the consultation does not address accountability for reasonable adjustments across education, health and care. Families frequently report that failures to make adjustments are reframed as behavioural issues or "parental choice". Reform that does not explicitly strengthen expectations, training and enforcement around reasonable adjustments risks perpetuating inequity rather than reducing it.

Finally, the **absence of consultation questions limits opportunities for specialist providers, families and young people to share evidence of what effective reasonable adjustments look like in practice, and what happens when they are absent.** This is a missed opportunity to ground reform in lived experience.

NASS calls for SEND reform to explicitly recognise reasonable adjustments as a central pillar of inclusion, to reflect the complexity of real-world provision, and to ensure that reforms do not unintentionally weaken protections for the most complex and vulnerable learners.

National training

Q12. What are the most important issues for national training to cover, to help support children and young people with SEND?

National training must move beyond basic awareness to address the systemic factors that limit effective support for children and young people with SEND. Training should reflect the increasing complexity and intersectionality of need, including trauma, mental health, neurodiversity and medical needs, rather than relying on narrow diagnostic categories.

	<p>A core priority is reframing behaviour as communication of unmet need. National training must embed trauma-informed, neuro-affirming and rights-based approaches to behaviour, emotional regulation and restrictive practice, and be mandatory for leaders, not solely classroom staff.</p> <p>SEND must be positioned as a whole system responsibility. Training for senior leaders, governors and local authority decision-makers is essential to strengthen accountability, ethical decision-making and understanding of legal duties. Without this, inconsistent practice and inappropriate placement continue.</p> <p>Special schools should be recognised within national training as centres of expertise, not endpoint provisions. Their role in outreach, partnership working and workforce development should be explicitly embedded and funded.</p> <p>Finally, training must meaningfully involve children, young people and families, address transition and preparation for adulthood, and improve system literacy around EHCP processes. Without these elements, national training risks adding burden without delivering sustainable improvement in SEND outcomes.</p> <p>(1468 characters)</p>
<p>Q13. What practical actions can help teachers, educators and leaders manage workload whilst implementing these changes?</p>	<p>SEND reform cannot succeed without explicit, enforceable workload protections, particularly in special schools where capacity is already critically stretched. Special schools operate in exceptionally complex environments, including safeguarding, multidisciplinary working, medical needs and highly personalised provision. Reforms that fail to recognise this risk diverting staff</p>

	<p>time from pupils with the most complex needs and accelerating workforce attrition. Workload must be addressed through realistic capacity planning, including phased implementation and an end to overlapping reforms. New requirements must replace existing expectations, not add layers of compliance. Ministers must reduce duplication across SEND, safeguarding, health and accountability so the same evidence meets multiple duties. Any shift of accountability for delivery from LAs to schools—leaving schools to manage ISP complaints—must be recognised as a major capacity pressure. Implementation needs ring-fenced funding for protected staff time; absorbing reform into current workloads is not sustainable. Guidance must be co-produced with the special school sector; generic materials increase workload. Finally, reform must trust professional judgement: over-prescriptive models are incompatible with personalised, non-linear pathways and disproportionately burden special schools.</p> <p>(1360 characters)</p>
<p>Q14. How should the Special Educational Needs Coordinator (SENCO) role evolve to better meet the needs of children and young people with SEND?</p>	<p>To better meet the needs of CYP with SEND, the SENCO role must evolve from an operational compliance function into a strategic, specialist leadership role, with protected time, authority, & specialist expertise. SENCOs must be enabled to act as advocates for children & families, ensuring needs are accurately identified and met, rather than managing risk and resource scarcity.</p> <p>Current SEND reform proposals place unrealistic expectations on SENCOs to deliver system-wide inclusion without addressing</p>

structural barriers such as workforce capacity, funding constraints, access to specialist provision, and the cultural change required in many mainstream settings.

The SENCO role should be strengthened through mandatory senior leadership status, ringfenced time, and funded access to advanced, needs-specific training, including autism, SEMH, Developmental Language Disorder (DLD) and profound and multiple learning difficulties. Critically, SENCOs must be empowered to secure swift escalation to specialist support and specialist provision where required, ensuring transitions between levels of support are timely, seamless, and led by children's needs rather than system thresholds.

Without addressing workload, training, authority, and access to provision, reforms risk further destabilising the SENCO workforce and embedding delays in support. Effective reform must enable SENCOs to coordinate timely, appropriate provision, not overextend them as gatekeepers of an under-resourced system.

(1491 characters)

Part two: new Targeted and Targeted Plus support that is written into law

Individual Support Plans (ISPs)

Additional response

*It is disappointing that the consultation does not provide a specific question that allows respondents to critically consider whether ISPs are the right mechanism, the principles underpinning them, or how they are intended to operate alongside Education, Health and Care Plans (EHCPs) and Individual Healthcare Plans (IHPs). We believe this is a **significant omission**, given the systemic implications of introducing a new planning framework.*

*From a NASS perspective, there is **insufficient clarity about the principles and purpose of ISPs**. It is unclear whether ISPs are intended to enhance early support and inclusion, simplify processes, or reduce reliance on statutory protections. Without explicit safeguards, there is a real risk that ISPs could function as a substitute for EHCPs rather than a complement, potentially weakening children and young people’s legal entitlements and access to specialist provision. NASS is **particularly concerned that the ISP proposal appears to prioritise administrative efficiency over needs led planning**. The consultation does not set out how ISP quality, consistency, or enforceability will be assured, nor how children with complex, low incidence needs—who are disproportionately represented in specialist settings—will be protected from under-assessment or delayed escalation to statutory plans. The **interaction between ISPs, EHCPs and IHPs is poorly defined**. Many children and young people supported by NASS member schools require coordinated education, health and care input. The consultation does not explain*

- *how decisions will be made about when an ISP is insufficient and an EHCP is required;*
- *how duplication or fragmentation between ISP and EHCP processes will be avoided;*
- *how IHPs will be integrated, particularly where medical needs are central to educational access.*

*This **lack of detail is most acute in relation to health and care responsibilities**. There is no clear indication of commissioning duties, accountability, or dispute resolution where health and care input outlined in an ISP is not delivered. Without statutory footing, ISPs risk reproducing existing weaknesses in non-statutory plans, where education bears responsibility without reciprocal obligations from health and social care partners.*

*NASS is also concerned about **workforce capacity and expertise**. Implementing ISPs at scale without clear national standards, specialist input, or training risks inconsistent practice and inequitable outcomes across local areas.*

In summary, NASS urges that

- *the role and limits of ISPs are clearly defined in law and guidance;*
- *EHCPs remain the primary mechanism for detailing and securing enforceable, multiagency support for children with complex needs;*
- *health and care duties within any ISP framework are explicit, accountable and properly resourced;*
- *further consultation is undertaken specifically on whether ISPs are the right model, for whom, and under what safeguards.*

Without this clarity, ISPs risk adding complexity rather than delivering genuine, inclusive reform.

<p>Q15. What would provide assurance for families that an Individual Support Plan (ISP) is high-quality and contains the essential information?</p>	<p>Families are more likely to feel assured when an ISP is clearly useful, individualised and actionable, rather than simply compliant. A high-quality ISP should demonstrate genuine co-production with parents and, where appropriate, the child or young person; be grounded in a clear understanding of need; and set out prioritised outcomes linked to practical strategies, named responsibilities and realistic timescales. It should also show how provision will be resourced, reviewed and adapted, particularly where needs are complex or evolving.</p> <p>Assurance is strengthened where families can see consistency between the ISP and day-to-day practice in school, including alignment with specialist input, behaviour support, therapeutic approaches and safeguarding arrangements. Regular, meaningful review points — rather than annual or tokenistic updates — are essential.</p> <p>However, the consultation does not ask more fundamental questions about whether the current concept and format of ISPs are right at all. From a special school perspective, there is a risk that ISPs become another bureaucratic document designed to evidence process rather than improve practice. Assurance for families will not come from templates or standards alone, but from a system that prioritises trust, professional judgement and adequate funding — and that asks whether ISPs genuinely add value for children with the most complex needs, rather than duplicating or diluting existing plans such as EHCPs</p> <p>(1469 characters).</p>
<p>Q16: How can we ensure Individual Support Plans are clear, concise and practical for professionals to use?</p>	<p>ISPs will only be effective if they are co-produced, purposeful and usable in real-world settings. To achieve this:</p>

- **Standardise structure, not content.** A nationally consistent template should be mandated, with clear headings and limits on length, while allowing flexibility to reflect complex needs. Brevity must not be achieved through over-simplification.
- **Focus on priority outcomes and support.** ISPs should identify a small number of meaningful, personalised outcomes linked directly to specified provision, with clarity on *what support is delivered, by whom and when*.
- **Use clear, functional language.** Plans should avoid jargon and repetition, translating assessments into practical strategies relevant to classrooms, therapies and care contexts.
- **Embed professional input and accountability.** ISPs must reflect specialist advice (education, health and care) and clearly indicate lines of responsibility, including resourcing implications.
- **Ensure alignment with EHC Plans.** Where ISPs replace or sit alongside EHCPs, there must be clarity on legal status and enforceability to protect children with the most complex needs.
- **Enable regular review and ownership.** Plans should be live documents, reviewed routinely with families and professionals, and supported by digital systems that reduce duplication.

Without adequate time, training and funding, there is a risk ISPs become another bureaucratic layer. Practicality must be tested with frontline staff in specialist settings before implementation.

(1493 characters)

Effective curriculum delivery and adaptations

Additional response

NASS welcomes the stated ambition within the Schools White Paper and SEND Reform 2026 to strengthen consistency, quality and ambition in curriculum delivery. However, **we have significant concerns that the proposals do not sufficiently recognise the realities of inclusive education for pupils with SEND.**

*The Curriculum and Assessment Review underpinning the reforms placed disproportionate emphasis on linear progression, subject coverage and exam-based accountability. This approach fails to acknowledge that for many pupils with SEND, meaningful learning is achieved through highly adaptive curricula, flexible pathways and outcomes that prioritise communication, independence, wellbeing and functional skills alongside academic learning. **By not embedding adaptability as a core principle of curriculum design, the reforms risk reinforcing exclusion rather than enabling access.***

*Of particular concern is the limited recognition of non-exam-based assessment as a legitimate and robust means of evidencing progress. Many pupils with SEND cannot demonstrate their learning through formal testing, yet make substantial progress measured through personalised, formative and observational assessments. The absence of a clear commitment to strengthening and valuing these approaches undermines the credibility of inclusive education and **marginalises pupils whose achievements sit outside conventional attainment metrics.***

*While the reforms reference “high expectations for all”, there is **insufficient detail on how curriculum adaptations will be supported in practice.** There is no clear strategy to ensure that schools are resourced, trained and held accountable for delivering genuinely adaptive curricula. Without significant investment in workforce development—including specialist pedagogical expertise, time for curriculum design, and access to multidisciplinary input—expectations risk becoming rhetorical rather than deliverable.*

*There are also notable **gaps in how the proposals address transition points and curriculum coherence across mainstream and specialist provision.** For pupils with SEND, progress is rarely linear, and curricular continuity is critical. The reforms do not adequately address how adaptive curricula will be recognised within accountability and inspection frameworks, creating a risk that schools are disincentivised from innovation in favour of compliance.*

Implementation presents further challenges. Schools and local authorities are already operating under severe capacity and funding pressures. Introducing curriculum reform without explicit protection for specialist provision, realistic timescales, and co-production with the SEND sector risks widening inequalities and destabilising existing effective practice. NASS urges the government to

- Explicitly recognise adaptive curricula as essential, not exceptional.
- Embed non-exam-based assessment within national accountability systems.
- Ensure SEND expertise informs curriculum and assessment reform at every stage.
- Provide sustained investment to support implementation across specialist and mainstream settings.

Without these changes, the reforms fall short of delivering truly inclusive education for pupils with SEND.

Transitions between early years, schools and colleges

Additional response

NASS is concerned that the SEND Reform 2026 consultation lacks sufficient focus on transitions into and out of different layers of support, including the process for escalation to specialist provision. This is a significant omission given that transitions are consistently identified by families, schools and local authorities (LAs) as points of risk where children and young people with SEND experience delay, instability and unmet need.

The proposals do not set out clearly how pupils will move between layers of support, nor the criteria, thresholds or decision-making processes for transition to the specialist support layer. There is no clarity on who will act as the gatekeepers to specialist provision, how consistency and equity will be ensured across LAs, or how conflicts between cost control and needs-led decision-making will be managed. Without **transparent and nationally understood pathways**, there is a high risk of inconsistent practice, delayed access to appropriate provision, and increased pressure on mainstream settings that are not equipped to meet complex needs.

We are particularly concerned by the expectations placed on LAs, through SEND action plans, to set out anticipated numbers of placements in special schools without adequate recognition of the complex, non-linear pathways experienced by many pupils with SEND. Children and young people do not progress through support layers in predictable or uniform ways. Needs may escalate rapidly, fluctuate, or only become fully apparent over time. **Planning that prioritises numerical targets over responsiveness risks undermining the principle of meeting needs early and effectively.**

*The consultation documents demonstrate a **limited understanding of the lived realities of SEND pupils' journeys**. Too often, pupils access specialist provision late, following prolonged periods of unmet need in inappropriate settings. The reforms do not sufficiently acknowledge that early access to the right setting—including specialist provision where required—can prevent deterioration in mental health, reduce school absence and exclusion, and improve long-term outcomes.*

NASS strongly recommends that the reform programme explicitly addresses transition pathways between support layers, sets out clear and fair processes for access to specialist provision, and recognises the essential role of special schools within a genuinely inclusive system. Without this, the reforms risk entrenching delay, inequity and poor outcomes for children and young people with SEND.

Q17: How can we best support transition for young people with SEND, so that they are well supported into post-16 provision and further education, training or employment?

We are disappointed that the consultation addresses transition only post-16, as effective transition must begin earlier, be personalised and properly resourced. Young people with SEND, particularly those with complex needs, require phased, supported transitions starting well before Year 11, allowing time for trust building, skills development and realistic planning. Education, health and care planning should prioritise preparing for adulthood outcomes, with genuine co-production involving the young person, family and trusted professionals. Too often, transitions fail because post-16 options are limited, poorly matched, or commissioned without reference to local specialist expertise.

Strong partnerships between special schools, FE colleges, training providers and employers are essential, including joint curriculum planning, workforce development and supported transition placements. Post-16 settings must be adequately funded to deliver inclusive, therapeutically informed provision and reasonable adjustments.

Employment pathways should include supported internships, job coaching and employer incentives, alongside transport and

mental health support. Without sufficient specialist capacity, workforce training and long-term funding, SEND reforms risk increased dropout and exclusion. Transition must be treated as a process, not an event, with success measured by sustained engagement, wellbeing and meaningful outcomes.

(1431 characters)

Inclusion Bases

Additional response

*At present, there is a lack of clarity about **remit and cohort**. Will inclusion bases be expected to cater for all types of SEND, or will they be commissioned to meet specific profiles of need (for example, autism, SEMH, communication or moderate learning difficulties)? Without a clearly defined purpose and needs profile, inclusion bases risk being overstretched, under resourced, and unable to deliver high-quality outcomes for children and young people.*

*NASS members are particularly concerned about the **risk of inclusion bases becoming default placements or “dumping grounds”** for pupils and have an unintended consequence of creating further delays in getting the right placement to meet needs. We are concerned that without strong safeguards, inclusion bases could be used to **delay or avoid timely access to appropriate specialist placements**, rather than complementing them.*

We therefore urge the government to set out

- Clear national definitions of inclusion bases and how they differ from, and interact with, mainstream, resourced provision and special schools.*
- Explicit expectations about the types and complexity of need inclusion bases are designed to support.*
- Robust commissioning standards, including staffing, expertise, therapeutic input and capacity limits.*
- Safeguards to ensure placements are needs led, time limited where appropriate, and regularly reviewed.*
- Strong accountability mechanisms to prevent inappropriate placement decisions and ensure children’s needs are not compromised for system convenience.*

To make an informed decision about the suitability of an inclusion base in meeting their child's needs, parents need clear, transparent and comparable information about the support available. This should include the qualifications, training and specialist expertise of staff (for example in autism, SEMH, complex needs or medical needs), staff-to-pupil ratios, and the range of SEND needs the setting has experience of supporting. Parents also need to understand whether a provision is specialist or pan-disability, how support is personalised, and how inclusion is practically delivered in daily practice. Clear information about therapeutic input, partnership working with families, and how progress and wellbeing are monitored would further support parents to choose a setting where their child can thrive academically, socially and emotionally.

*Inclusion must be based on **appropriateness and support**, not solely on location. Without clarity, safeguards and sufficient investment, inclusion bases risk weakening rather than strengthening the SEND system.*

Q18. How can we make sure that every area can meet the full range of the needs of children and young people through Inclusion Bases?

The premise of this question reflects a misunderstanding of the complexity and interaction of needs experienced by children and young people (CYP) with SEND. Inclusion Bases are, by design, small-scale provisions attached to mainstream schools. While they may support some learners with specific, relatively predictable needs, they cannot meet the full range of SEND. SEND is not a single continuum. CYP often present with multiple, co-occurring needs across cognition, communication, sensory processing, physical disability, mental health and behaviour. Many require highly individualised curricula, specialist therapies, adapted environments, consistent staffing and intensive support that Inclusion Bases cannot safely or effectively provide. Expecting them to do so risks overstretched, diluted and inappropriate provision. There is also insufficient recognition of severity, fluctuation and risk. CYP with profound and multiple learning difficulties, complex medical needs, significant sensory impairments or high

	<p>levels of distressed behaviour require specialist settings with expertise, equipment and leadership embedded across the whole school.</p> <p>A place-based model that assumes inclusion can replace specialist provision prioritises system convenience over CYP rights. True equity requires sufficient, well-resourced special school provision alongside inclusive mainstream options, with clear thresholds, parental voice and professional judgment.</p> <p>(1451 characters)</p>
<p>Q19. How can we make sure that Inclusion Bases help children and young people in mainstream settings?</p>	<p>Inclusion Bases can support some pupils in mainstream schools, particularly those within the proposed ‘Targeted’ and ‘Targeted Plus’ categories, but only if their purpose is clear and tightly controlled. Inclusion Bases must provide time-limited, outcome-focused support aimed at enabling meaningful inclusion or reintegration, not become long-term placements by default.</p> <p>A key risk is that Inclusion Bases become holding arrangements or dumping grounds, delaying access to appropriate specialist provision. For pupils with complex or escalating needs, extended time in unsuitable settings often leads to increased anxiety, school refusal, placement breakdowns and deteriorating wellbeing. Inclusion Bases must never be used to defer difficult decisions or compensate for shortages in specialist places.</p> <p>Robust assessment, regular multidisciplinary reviews and clear escalation routes are essential. Where evidence shows a pupil’s needs cannot be met sustainably in mainstream, timely access to specialist provision must remain an option. Workforce</p>

expertise within Inclusion Bases should reflect specialist-level skills, not diluted support.

Finally, success should be measured transparently, with data on duration, outcomes and placement stability, and developed in genuine partnership with families and the specialist sector. Inclusion Bases should complement, not replace, a fully funded continuum of SEND provision that prioritises the right support at the right time.

(1470 characters)

Experts at Hand

Additional response

*NASS welcomes the stated intention behind the **Experts at Hand** idea in principle, to improve access to timely specialist expertise and strengthen inclusive practice. However, significant concerns remain about the lack of clarity in both the SEND Reform proposals and the guidance issued to local authorities (LAs) for 2026–27 on the 15th April.*

*There is insufficient detail about the **Experts at Hand programme** and specifically at **what stage or level of SEND support** Experts at Hand can be accessed. It is unclear whether this offer is intended as an early intervention universal resource, targeted at children without EHCPs, or applicable to pupils already receiving specialist or statutory provision. This ambiguity risks inconsistent implementation and uncertainty for families and professionals.*

*NASS is particularly concerned about **workforce capacity**. The proposal assumes the availability of suitably qualified specialists without addressing existing shortages across educational psychology, therapy services and specialist teachers. Without a credible workforce plan, there is a risk that capacity will be diverted from existing statutory duties, exacerbating pressures elsewhere in the system.*

*The **role of special schools** is notably underdeveloped. Many special schools possess deep expertise and would be well placed to support system-wide inclusion, yet there is no clarity on how they will be engaged, how their input will be funded,*

or how this work will be balanced against their core responsibility to enrolled pupils. Without ringfenced funding and clear expectations, special schools risk being treated as an unfunded resource rather than strategic partners. For some special schools they will lack the capacity to offer this support.

*Allowing LAs to design and deploy Experts at Hand models individually raises a serious concern that this proposal could become **another postcode lottery**, with variable access, quality and impact depending on local interpretation and capacity. There is also a lack of clarity on **how impact will be monitored and evaluated**. It is unclear whether success will be measured by outcomes for individual children, reductions in EHCP requests, or broader improvements in mainstream staff confidence and practice. Clear national expectations and accountability measures are essential.*

*Finally, NASS is concerned by indications that **further guidance may be published before the consultation concludes with spring as well as Final funding allocations will be confirmed and published in May 2026 (as noted in the 15th April DfE guidance to LAs.)**. This appears contrary to assurances given by Ministers that **all elements of SEND reform** are genuinely open for discussion. Proceeding in this way risks undermining trust and the integrity of the consultation process.*

NASS urges greater transparency, co-production with the specialist sector, and a clearer national framework before Experts at Hand is progressed further.

Q20. Through the Experts at Hand offer, we want to ensure that mainstream settings can get quick specialist support for children and young people. What arrangements are needed between local area partners (education, health, social care) to deliver this Experts at Hand offer effectively?

For the Experts at Hand offer to be credible, it must rest on binding, enforceable agreements across education, health and social care. Special schools are finite, highly specialist system assets and must be formally commissioned as leaders of SEND expertise, not relied upon informally or used to absorb unmet need elsewhere. Without clear accountability, shared thresholds and guaranteed response times, the offer will fail, leaving pupils and families without timely support and undermining trust in the SEND system.

Arrangements must include explicitly funded and protected outreach capacity within special schools, with clear limits to prevent dilution of core provision or reliance on goodwill. Advice

must be linked to clear escalation routes where it proves insufficient, avoiding prolonged inappropriate mainstream placements and deteriorating outcomes. Robust data sharing, aligned eligibility criteria and genuinely pooled budgets are essential to prevent drift, duplication and cost-shunting. A single coordination function, transparent performance monitoring and independent oversight are needed to ensure accountability and enable family redress. Critically, the offer requires long-term, cross-party commitment, statutory footing and sustainable funding. Short-term pilots risk broken promises, weaken specialist provision and place children and young people with SEND in an increasingly precarious position.

(1420 characters)

Educational Psychologists and Speech and Language therapists

Additional response

*Pages 60–61 of the consultation recognise the importance of highly skilled professionals, including Educational Psychologists (EPs) and Speech and Language Therapists (SaLTs), in supporting children and young people with SEND. However, the proposals do not sufficiently grapple with the **scale of the national workforce shortage**, nor the practical implications this has for quality, equity and timeliness of support.*

*Across the system there is already a **well-documented shortfall of qualified EPs and SaLTs**, leading to lengthy waiting times, inconsistent access, and an increasing focus on statutory assessment functions at the expense of early intervention, therapeutic input and ongoing professional collaboration. Without a credible, funded workforce strategy, the ambitions set out in this consultation risk being undeliverable in practice.*

*For many children and young people with the most complex needs, particularly those educated in independent and non-maintained special schools, access to specialist expertise cannot be assumed through overstretched local authority services alone. **A significant number of NASS member schools directly employ or commission EPs and SaLTs as integral***

members of their multidisciplinary staff teams. These professionals work alongside teachers, therapists, support staff and families to provide consistent, relationship-based support rooted in day-to-day practice.

This in-house or closely commissioned model allows specialist staff to

- *develop deep contextual understanding of individual pupils*
- *contribute proactively to curriculum adaptation and pastoral support*
- *provide ongoing therapeutic input rather than episodic assessment*
- *support staff training and reflective practice*
- *intervene early, preventing escalation of need*

*It is essential that SEND reform **does not inadvertently undermine or disincentivise these arrangements**. There is a risk that a narrow focus on statutory processes, standardisation or centralised decision-making could marginalise the contribution of specialist professionals working within school communities, despite strong evidence that integrated, multidisciplinary approaches improve outcomes for children and young people with complex SEND.*

*We are particularly concerned that there is **no specific consultation question addressing the role, capacity, deployment or sustainability of the EP and SaLT workforce**, despite their centrality to the system described. This omission limits stakeholders' ability to comment meaningfully on how the proposed reforms will function in reality. Given current workforce pressures, this represents a significant gap in the consultation.*

NASS believes that successful reform requires

- *explicit recognition of current and projected workforce shortages*
- *a clear national strategy to grow, retain and support EPs and SaLTs*
- *protection of flexible employment and commissioning models used by specialist schools*
- *acknowledgement of the value of embedded specialist practice, not only statutory assessment*
- *assurance that reforms will strengthen, rather than weaken, multidisciplinary working at school level*

Without these elements, there is a real risk that children and young people with the most complex needs will experience reduced access to trusted specialists, fragmented support, and greater reliance on inconsistent external provision. For many, continuity of specialist relationships is not a "nice to have" but a critical factor in engagement, wellbeing and progress.

NASS therefore urges the Department for Education to address this gap explicitly as the proposals are developed, and to work closely with the specialist sector to ensure that the expertise already embedded within schools is recognised, sustained and built upon as part of a genuinely inclusive SEND system.

Part Three: specialist support for those with complex needs

Complex needs

Additional response

The consultation repeatedly refers to children and young people with “complex needs” but **fails to define the term clearly or consistently**. This lack of definition is a significant weakness of the reforms and risks creating serious unintended consequences.

Without a shared national definition, “complex needs” becomes open to interpretation by local authorities, NHS bodies and providers. This creates the **conditions for gatekeeping**, where thresholds for specialist assessment, EHCPs or provision may be raised or applied inconsistently in order to manage demand or budgets. Families already report difficulty accessing support due to shifting thresholds; further ambiguity risks worsening inequity and postcode variation.

There are also **safeguarding risks**. Children with overlapping learning disabilities, autism, mental health needs, medical needs, trauma or social care concerns may fall between systems if no agency accepts responsibility for “complexity”. This fragmentation undermines accountability and increases the **risk that needs are minimised, mislabelled or left unmet**.

The absence of clarity also **weakens workforce planning and commissioning**. If complexity is undefined, it is impossible to ensure sufficient specialist expertise, appropriate funding or effective multidisciplinary working.

The reforms should therefore include a clear, inclusive working definition of complex needs, recognising co-occurring needs across education, health and care. There should also be a better understanding and consideration of dynamic complexity i.e. that needs can fluctuate or appear in response to life circumstances or changes in needs. This should be underpinned by statutory guidance that prevents the use of “complexity” as a rationing tool, strengthens joint accountability, and embeds a safeguarding-led approach focused on the child’s lived experience rather than diagnostic labels. NASS would welcome the opportunity to work with DfE and other key stakeholders to help define complex needs.

Specialist Provision Packages

*There isn't a specific question around the principles behind specialist provision packages as well as no mention of the funding element of the proposals. We are very disappointed in this **huge omission on a key element of the reforms**. To this end we have produced a **specific consultation response paper** which can be accessed via the link below. We also included our SPP paper as a separate document in the email that accompanied this wider response document.*

<https://www.nassschools.org.uk/wp-content/uploads/2026/05/NASS-paper-Specialist-Provision-Packages-and-their-potential-impact-on-special-schools-May-2026.pdf>

Q21. What needs to be in place so that children and young people with low incidence, highly complex needs can always access the right specialist placement?

CYP with low incidence, highly complex needs can only access the right specialist placement when the system is built around individual need, not administrative convenience or cost control. NASS is clear that we do not support the principles of the SPP proposals. A move from individualised funding to categorised packages and banded funding is fundamentally flawed. It risks excluding children whose needs do not fit narrow descriptors, incentivises gatekeeping, and undermines lawful, needs-led decision-making under the EHCP process.

What must be in place:

- A statutory guarantee of access to specialist provision based on assessed individual need, not availability or bands.
- Individualised funding linked to EHCP outcomes, with flexibility to reflect complexity, volatility and co-occurring needs.
- National oversight and commissioning responsibility for low incidence, high-cost provision to ensure sufficiency and equity.

	<ul style="list-style-type: none"> • Protection of parental and young people’s rights, including transparent decision making and effective routes of redress. • Recognition that specialist provision is not a scalable commodity and cannot be standardised without harm. <p>Standardisation through SPP risks systemic under provision, increased placement breakdowns, and poorer outcomes for the most vulnerable. This reform must strengthen, not dilute, a needs-led system.</p> <p>(1350 characters)</p>
<p>Q22. How can Specialist Provision Packages be designed to effectively support the main types of need we currently recognise?</p>	<p>NASS is concerned that this question assumes the introduction of Specialist Provision Packages (SPPs) as a preferred approach, which we do not support. Standardised packages risk oversimplifying complex, overlapping and changing needs, and weakening the individualised, expert-led provision children and young people with SEND require.</p> <p>If SPPs are nonetheless pursued, they must be designed with significant safeguards. Any framework should be non-prescriptive, diagnosis-informed but not diagnosis-led, and allow for professional judgement and local flexibility. Packages should recognise the interaction between needs (e.g. autism, learning disability, SEMH, sensory and health needs), rather than separating them artificially.</p> <p>Effective support depends on skilled specialist staff, access to therapeutic and clinical input, adaptability over time, and strong collaboration with families and specialist providers, including special schools. Crucially, SPPs must not be used to cap support, restrict placements, or replace bespoke EHCP-driven provision.</p>

The priority should remain strengthening the specialist workforce and capacity, not simplifying need into packages.

(1168 characters)

Education, Health and Care Plans

Additional response

*We are concerned that the consultation does not include a clear question asking whether the proposed changes to Education, Health and Care Plans (EHCPs) are correct in principle. Given the central role EHCPs play in securing legal entitlements for children and young people with the most complex needs, this is a **fundamental omission and limits meaningful scrutiny of the proposals.***

*We do not support reforms that **weaken the individualised, statutory protections currently embedded within EHCPs.** EHCPs exist precisely because generic or school-led approaches have repeatedly failed this cohort. Any move towards standardisation, reduced specificity, or dilution of enforceability risks eroding rights rather than improving outcomes.*

*We are particularly concerned about the **proposed separation between the statutory EHCP and the delivery of provision through Individual School Plans (ISPs).** While local authorities retain the legal duty for EHCPs, delivery is increasingly placed at school level, without sufficient clarity on accountability when provision is not fulfilled. This creates a significant risk of blurred responsibility, adversarial relationships, and increased tribunal activity, rather than earlier resolution.*

The proposals as they stand would also see the removal of parental preference in choosing a school and remove the right of the Tribunal to name an alternative school in Part I of an EHCP.

*Accountability must remain **clear, enforceable, and rooted in statute.** Any reform must strengthen—not undermine—the legal clarity of EHCPs, ensure that provision remains needs-led rather than resource-led, and recognise that children with the most complex needs require robust, individualised statutory protection, not weaker alternatives.*

We urge the government to explicitly consult on whether weakening EHCPs is acceptable and to reconsider proposals that risk shifting responsibility without sufficient safeguards for children, families, and providers.

Q23. We propose that EHCPs will guarantee educational provision set out in a Specialist Provision Package, with day-to-day provision captured in Individual Support Plans. What is needed to make these proposals work effectively?

For these proposals to be effective, they must recognise the complexity of need supported by special schools and safeguard statutory entitlement. As drafted, the proposed Specialist Provision Packages are overly generic, insufficiently detailed, and disconnected from the realities of specialist settings. Broad descriptors risk obscuring variation in intensity, expertise, environments and therapeutic input, weakening consistency and accountability.

A clear, legally enforceable link must exist between the EHCP and any Specialist Provision Package, with the EHCP retaining primacy. Packages must specify what provision is delivered, by whom, at what intensity and for what outcomes. Without this, packages risk becoming cost containment tools rather than needs-led entitlements.

There is significant concern that such packages could underpin funding decisions. Generic costing models would systematically underfund pupils with complex needs and constrain specialist schools' ability to deliver safe, effective, person-centred provision. Funding must be transparent, realistic and responsive to individual need.

Individual Support Plans must enhance, not replace, statutory protection and be coproduced, EHCP aligned and nationally standardised. Special schools and bodies such as NASS must be centrally involved in redesigning and evaluating these proposals.

(1358 Characters)

<p>Q24. We propose creating a more direct route to Specialist Provision Packages and EHCP assessments for children under 5 with complex needs. How can we make sure this works in practice?</p>	<p>We support the ambition to improve early access to support for children under five with complex needs, but as currently set out, the proposal risks being ineffective in practice.</p> <p>Many children with complex or multiple needs are not identified or diagnosed before age five, particularly those with neurodevelopmental conditions, rare syndromes or emerging SEMH needs. The proposal does not recognise this reality and offers no clear alternative route for children identified later, creating a risk of a two-tier system that disadvantages many pupils educated in special schools.</p> <p>Access to early years placements remains inconsistent, and many providers lack specialist expertise to identify SEND needs or trigger the proposed route. There is also insufficient detail on how the “direct route” would operate, including initiation, thresholds and dispute resolution, increasing the risk of gatekeeping and local variation.</p> <p>Crucially, the proposal does not address capacity constraints. Earlier access depends on significant expansion of health, early years and local authority SEND capacity. Without this investment, expectations may rise without improving outcomes. Any reform must form part of a whole system approach, apply across age ranges, and be supported by workforce growth, clear accountability and sustainable funding.</p> <p>(1323 characters)</p>
<p>Q25. What would you expect to be considered as part of the needs assessment, for example evidence and expert or professional input?</p>	<p>NASS is clear that we do not support the proposed reforms in principle. However, if the government is to proceed on the basis of their proposals as they are currently outlined, needs assessments must be robust, multiagency and professionally led, rather than reduced to a standardised or primarily administrative exercise.</p>

	<p>Any assessment format must require mandatory, coordinated input from education, health and social care, reflecting the child or young person’s full range of needs. This should include evidence from appropriately qualified professionals such as educational psychologists, specialist teachers, therapists, clinicians and social care practitioners, alongside parental and pupil voice. Observational evidence across settings, longitudinal data, and analysis of functional impact should be integral, not optional.</p> <p>We are concerned that the proposals imply an attempt to standardise and de-professionalise assessments, risking formulaic decision-making and the marginalisation of expert judgement. A checklist-driven model would be inappropriate for pupils with complex and low-incidence needs.</p> <p>The format must therefore preserve professional discretion, allow for depth and nuance, and recognise that meaningful needs assessment cannot be separated from specialist expertise or multiagency collaboration, as is currently provided through the EHCP process.</p> <p>(1374 characters)</p>
<p>Parental Preference</p>	
<p>Q26. What factors should LAs take into account in proposing to parents and young people a list of potential settings to name on a plan?</p>	<p>In proposing any list of settings, LAs must protect—not dilute—parents and young people's statutory preference rights. Lists must not become a mechanism for gatekeeping or narrowing options, nor create a presumption of mainstream, Inclusion Hubs or other state-maintained provision. The starting point must be the child's assessed needs and the provision specified in Section</p>

	<p>F; where specialist provision is indicated, the list must include maintained, non-maintained and independent special schools (NMISS) and other suitable provision.</p> <p>National criteria should require inclusion/exclusion decisions to be evidence based and transparent, taking account of:</p> <ul style="list-style-type: none"> (1) ability to meet identified needs and deliver Section F; (2) appropriateness of specialism, approach and environment; (3) confirmed capacity at the point of proposing. <p>Parents/YP must be able to reject unsuitable settings, and where none on the list is suitable there must be a clear, time limited route to identify and name an appropriate placement. Tribunal must retain power to amend the setting named where the LAs list fails to secure suitable education.</p> <p>(1124 characters)</p>
<p>Q27. What information and support do parents need to make a decision about which setting will be best for their child?</p>	<p>Parents can only make informed decisions about the right setting for their child when information is comprehensive, transparent, standardised and accessible. Current practice places an unreasonable burden on families to extract details that directly affect children’s safety, progress and wellbeing.</p> <p>Parents need clear information on school and class size, staffing ratios across the day, and whether pupil groups are stable or fluid. Schools should state the range and complexity of needs they support, whether provision is generic or specialist, and any limits to expertise or capacity.</p>

There must be clear disclosure of staff qualifications, training and experience, including turnover rates and reliance on temporary or unqualified staff. Parents also require robust information on access to therapies, including whether speech and language therapy, occupational therapy and mental health support are delivered in-house, their frequency, and whether access depends on external services with long waits.

Parents must understand how curriculum and pedagogy are adapted, including personalised pathways, therapeutic and sensory approaches, and use of evidence-based practice.

Accountability requires publication of parent satisfaction data, SEND related complaints and outcomes, alongside behaviour, safeguarding and restrictive intervention policies. Without mandated, comparable information, choice risks being illusory and reinforcing inequality rather than empowering families.

(1478 characters)

Transition to the new system

Additional response

NASS recognises the intention, set out on pages 72–73, to manage transition through phased implementation, pathfinders and national scaling. However, the proposals assume a level of system readiness, workforce capacity and shared understanding that does not currently reflect the reality.

The consultation places strong emphasis on structural change, data flows and accountability arrangements, yet insufficient attention is paid to how existing providers, families and local systems are practically supported through transition. The assumption that early adopter areas and guidance will be sufficient to “bring the system along” risks repeating previous reform cycles, notably for the 2014 reforms, where uneven implementation created long-term inequity and instability.

On page 23, the consultation stresses **partnership and co-production as core principles**. These commitments must be reflected more clearly in transition planning. To date, many providers report limited engagement in shaping transitional arrangements, despite being central to delivery for children with the most complex needs. Transition cannot be treated as a technical exercise; it is a relational and workforce-intensive process that requires trust, dialogue and shared problem-solving.

The proposed oversight and escalation mechanisms described on page 113 focus heavily on assurance once the new system is live. NASS is concerned that **insufficient attention is given to learning during transition**, including how emerging risks, capacity gaps or unintended consequences will be identified early and addressed collaboratively rather than through compliance or intervention.

Key concerns

- Overreliance on guidance and national timelines without clear minimum readiness criteria for areas to transition.
- Insufficient recognition of workforce fatigue, recruitment challenges and financial fragility across the sector.
- Limited clarity on how feedback from providers and families during transition will lead to real-time adjustment of policy and practice.

Practical suggestions

- Establish a **formal transitional partnership forum**, including sector representative bodies, to advise DfE throughout implementation.
- Introduce **clear “transition readiness” benchmarks** for local areas, with flexibility to pause or slow implementation where risks to children are identified.
- Fund **protected transition capacity**, including time for training, system change and cross-sector collaboration.
- Commit to publishing **learning from transition phases**, including what has not worked, to build national confidence and reduce future implementation problems.

Without a stronger, more genuinely collaborative approach to transition, the reforms risk undermining the very outcomes they seek to improve.

Alternative Provision (AP)

Q28. What do you think is the right maximum length of time for a temporary placement in Alternative Provision (AP) schools? Please explain your rationale.

AP must remain a short-term, clearly time-limited intervention, not a de facto longer-term placement. We believe the maximum length of a temporary AP placement should be no longer than 12 weeks, with an exceptional extension to 24 weeks only where there is clear evidence of progress and an agreed transition plan.

Our rationale is threefold. First, extended stays in AP risk normalising educational drift and lowering ambition for children and young people with SEND, many of whom require stability, specialist environments and consistent therapeutic support that AP is not designed to provide long term. Second, AP should function as an assessment, stabilisation and reintegration phase, with regular multi-agency reviews (at least every 6 weeks) to determine the most appropriate next step. Third, the system must avoid AP being used to delay difficult placement decisions or to manage capacity pressures elsewhere.

Critically, every AP placement must begin with a clearly defined exit pathway, either back to mainstream with appropriate support, or progression to a special school when needs cannot reasonably be met in mainstream. For pupils with emerging or established EHCPs, AP should accelerate—not stall—timely decision-making.

In summary, AP should be a bridge, not a destination. Tight timescales, robust oversight and a focus on the right long-term placement are essential to safeguarding outcomes for children and young people with SEND.

(1448 characters)

Independent special schools (ISS)

Additional response

NASS believes that a 1500-character answer does not provide a sufficient response to the proposals in terms of their impact on Independent Special Schools. To this end NASS is submitting a separate thought document on the proposals that will impact independent special schools. A copy of our paper was sent with this consultation response template. Please also find a link to our *Independent Special Schools paper* via the link below.

<https://www.nassschools.org.uk/wp-content/uploads/2026/05/NASS-paper-Independent-Special-Schools-May-2026.pdf>

Q29. We have set out our plans to regulate Independent Special Schools (ISS) sector. Do you agree that these proposed changes will lead to suitable placements being available at a fair cost? Please explain why.

We strongly disagree that these proposals will lead to suitable placements at a fair cost. They risk reducing capacity rather than improving sufficiency. Independent special schools have expanded because maintained provision has not kept pace with demand. Introducing pricing and regulatory controls without addressing this under provision is likely to force schools to reduce provision, push for additional placements to offset price restrictions or exit the market, limiting options for children with the most complex needs.

The assumption that costs are driven by profiteering is flawed. Fees reflect highly specialist provision, including intensive staffing, therapeutic input, safeguarding demands and workforce shortages. Blunt price controls risk incentivising lower quality models and penalising schools that invest in specialist expertise. Regulatory uncertainty will also deter investment when capacity must grow. Any short-term fee reductions are likely to be outweighed by rising scarcity, emergency placements and costly out-of-area provision. Suitability cannot be created by regulation alone; flexibility, parental choice and partnership with the sector are essential. ISS are already regulated through Ofsted—what is needed is strategic investment in sufficiency and workforce, not

punitive measures that risk increasing costs and harm across the system.

(1369 characters)

Residential placements

Additional response

*NASS is deeply disappointed that the consultation documents make no meaningful reference to **residential placements** or the specific and vital role of **residential special schools**.*

*This omission is significant. Residential special schools support a distinct group of children and young people whose educational progress, wellbeing and safety depend upon an integrated **24-hour, holistic provision**. These are typically learners with severe and complex needs, including autism, learning disabilities, social, emotional and mental health needs, and those who have experienced trauma or repeated placement breakdown. For this group, education cannot be separated from care, routine, independence development and therapeutic input. Residential provision is not an “added extra”; it is the enabling condition that allows education to succeed. It is also not simply provided because a school is too far away from the child’s home.*

*While the consultation recognises inclusion, early intervention and consistency, it does not fully consider the **risk of excluding residential provision from strategic planning**. Without explicit recognition, there is a real danger that residential placements will be unintentionally marginalised through funding reforms, commissioning frameworks and regulatory changes that are designed around day provision only. This could reduce placement sufficiency, increase instability, and lead to higher long-term costs for local authorities through crises, out-of-area placements and increased demand on health and social care services.*

*We are particularly concerned about emerging proposals relating to **price caps and national banding frameworks**. Although we understand the desire for transparency and value for money, these mechanisms must reflect the **true cost of specialist provision**. Current proposals focus heavily on education and, in some cases, health elements, while **care costs***

are insufficiently recognised or entirely absent. Residential schools are simultaneously delivering education, care, safeguarding, independence preparation, and often therapeutic support. Any pricing or banding system that fails to incorporate care (as well as health) risks destabilising high-quality provision and discouraging investment in specialist residential capability.

*The absence of residential considerations also undermines the stated aim of a **needs-led system**. A genuinely person-centred SEND system must acknowledge that some children and young people require integrated residential provision to thrive, and that this can be the least restrictive and most effective option when appropriately commissioned.*

What we would like to see going forward

NASS is calling for the following to be addressed as reforms progress

- ***Explicit recognition** of residential special schools and placements within SEND policy, guidance and commissioning frameworks.*
- *A clear articulation of the **profile of need** for which residential provision is appropriate, grounded in evidence and outcomes.*
- *Any Specialist Provision Packages and attendant **price caps or banding frameworks** to fully incorporate **education, care and health costs**, reflecting 24-hour provision and regulatory requirements.*
- *Active engagement with the **residential sector**, including NASS and providers, in the co-design of reforms.*
- *Recognition of residential provision as a **preventative and stabilising intervention**, reducing long-term costs and placement breakdown.*

Residential special schools are not a historical anomaly; they are an essential part of a balanced SEND system. Reform that fails to consider them risks leaving some of the most vulnerable children and young people without realistic, effective pathways to education and adulthood.

Part four: reforming the system to reward inclusion

Funding reform

Rebalance funding towards mainstream settings

Additional response

NASS notes that the consultation does not include a direct or explicit question on the proposal to rebalance funding towards mainstream settings. This is a significant omission given the scale of change implied and the potential consequences for children and young people already within the SEND system. In the absence of a clear question, NASS wishes to set out serious concerns about the framing of “rebalancing” as a solution, rather than addressing the fundamental issue of chronic underinvestment across the whole system.

Rebalancing funding implies a zero-sum approach, moving resources from one part of the system to another. NASS strongly believes this does not reflect the reality of need. Demand for specialist provision has increased consistently over many years, driven by rising complexity of need, greater survival of children with profound and multiple learning disabilities, and longstanding gaps in early intervention and mainstream inclusion. Without a substantial increase in overall investment, rebalancing risks destabilising specialist provision without delivering genuine capacity or confidence in mainstream settings.

Crucially, any transition towards improved mainstream inclusion requires additional funding, particularly during transition phases. Mainstream schools cannot meet higher levels of SEND need without sustained investment in workforce development, specialist support, therapeutic input, physical adaptations, and time for change to embed. Diverting funding away from specialist settings before mainstream capacity is meaningfully strengthened risks leaving children with complex needs under supported in both systems.

NASS is also concerned that the narrative of rebalancing overlooks the immediate needs of children and young people already in the system. These learners cannot wait for future reforms to take effect. Reducing or constraining funding to

existing specialist provision during a period of reform would have a disproportionate impact on those with the highest levels of need, potentially reducing placement stability, access to therapies, and outcomes.

While government has announced additional funding for SEND in recent years, this investment has not been sufficient to “fix” the system or to address historic underfunding. Rising high needs block allocations have largely been absorbed by growing demand and cost pressures, rather than enabling strategic transformation. As such, framing reform around rebalancing rather than net investment risks misrepresenting both the scale and nature of the challenge.

The DfE set out a 90% High Needs deficit write-off in two key documents the **Explanatory note on the government’s approach to DSG deficits** (Feb 2026) and the **joint DfE/DHSC letter on Local SEND Reform Plans** (Mar 2026). In principle, councils can receive relief for most historic deficits, but this support is conditional and tightly controlled. Funding depends on DfE approval of reform plans, exclusions for “avoidable” spend, and ongoing central scrutiny, creating risks that financial compliance and cost-containment are prioritised over sustainable specialist provision.

NASS urges government to recognise that meaningful SEND reform depends on **significant, long-term increases in overall funding**, alongside careful phasing and **protection for existing specialist provision**. Reforms must be funded in a way that reduces risk to children and families, rather than shifting it. Without this, rebalancing **risks becoming a mechanism for redistributing scarcity**, rather than building a genuinely inclusive and sustainable SEND system.

Streamlined funding allocations

Additional response

The proposals relating to streamlined funding allocations are concerning in both their **lack of clarity and their absence from the formal consultation questions**. Given the potential impact on the sustainability of specialist provision, this omission significantly limits meaningful engagement.

Lack of clarity and consultation

Streamlined funding is referenced as a direction of travel, yet there is no clear description of the proposed model, no assessment of its impact on special schools, and no opportunity for respondents to comment on its design. For reforms of

this scale, the lack of a specific consultation question is problematic. It suggests that funding reform may be progressing without sufficient scrutiny, co-production, or understanding of the realities of specialist provision.

Risk to specialist provision

*Special schools educate children and young people with the most complex, low incidence and high-cost needs. Any move toward simplified or **standardised funding risks flattening complexity unless explicitly designed otherwise**. The White Paper does not provide assurance that streamlined funding would fully account for*

- *Highly differentiated need profiles*
- *Integrated education, health and care provision*
- *Small cohorts and unavoidable fixed staffing and infrastructure costs*

*Without explicit safeguards, there is a real **risk that funding simplification becomes a mechanism for cost containment rather than adequate resourcing**.*

Cost transfer and statutory risk

*Special schools are already absorbing increasing pressure from workforce shortages, rising agency costs, and unmet therapeutic and health provision. A streamlined funding approach that lacks clear boundaries **risks transferring further cost and risk onto schools**. There is also insufficient clarity on how any new model would guarantee that provision specified in EHCPs/ ISP/ IHP is fully and transparently funded, or how accountability for sufficiency would be maintained.*

What is missing

Critically, the proposals lack

- *A published impact assessment for special and alternative provision*
- *Clarity on what funding must remain additional and non-negotiable*
- *Transitional protections to maintain financial stability*
- *National oversight to prevent widening local inconsistency*

Streamlining funding should not mean simplifying away complexity. Without careful design and genuine engagement with specialist providers, the proposals risk destabilising special schools and undermining provision for children with the highest needs. NASS urges the government to pause, consult properly, and coproduce a funding approach that supports sustainability, transparency and statutory compliance.

Inclusive Mainstream Fund

Q30. How should settings be held accountable for how they spend their Inclusive Mainstream funding?

Settings should be accountable through a transparent framework that prioritises inclusive outcomes for children and young people with SEND over procedural compliance. Funding should be ring-fenced, linked to clearly defined inclusive practice objectives, and co-produced with parents, carers and young people. Accountability must require evidence of impact on access, participation, progress and wellbeing, particularly for those at risk of exclusion. Reporting should be proportionate and nationally consistent, with clear public statements on how funding has been used and the difference it has made, subject to scrutiny by governing bodies and inspectors. Where outcomes fall short, accountability should trigger targeted support and workforce development rather than punitive sanctions, to avoid risk avoidance or short-term compliance. Clear national guidance is essential to prevent Inclusive Mainstream funding being used as a rationing tool rather than a driver of meaningful reform.

(990 characters)

Q31. Do you agree that more SEND funding should sit directly within mainstream budgets? Please explain why.

We would support mainstream schools having more SEND funding where this is *additional* investment that strengthens early identification and inclusive practice and is not achieved by

	<p>diverting resources away from specialist provision. The concern is a “financial combover” approach that moves money into mainstream budgets to mask overall shortfalls, while the needs of children and young people who require specialist placements remain underfunded.</p> <p>If additional funding is absorbed into general budgets without clear expectations and accountability, it risks being used to meet immediate pressures (e.g., staffing gaps, behaviour and attendance) rather than secured for individual SEND support. This risk is particularly acute for small and rural schools with limited staffing and access to specialist expertise.</p> <p>Any increased funding in mainstream should therefore sit alongside protected investment in specialist provision, transparent tracking of spend, and guaranteed access to specialist services and outreach. With these safeguards, better-resourced mainstream settings can improve inclusion without weakening the specialist system that many pupils depend on.</p> <p>(1164 characters)</p>
<p>Pooled funding in schools for SEND</p>	
<p>Q32: In relation to pooled funding, we propose that every school becomes part of a local SEND group. Do you agree that this proposal aligns with our aim for all schools to be part of high quality, community-based trusts?</p>	<p>While we support the principle of improved collaboration and shared responsibility for SEND, we do not believe the proposal, as set out, currently aligns clearly with the aim of developing high-quality, community-based trusts. There is insufficient detail to demonstrate how this alignment would work in practice.</p>

The proposal suggests that all schools would belong to a local SEND group and participate in pooled funding, with the aim of encouraging collective accountability and earlier intervention. In principle, this could support more joined-up, community-based working. However, it is unclear how these groups would be governed, how decisions about pooled funding would be made, or how accountability would operate alongside existing trust governance and local authority statutory duties.

Crucially, the consultation does not address how variable SEND need, differing school capacity, or current funding shortfalls would be managed. It also doesn't clarify whether "every school" includes NMISS, nor how sub-regional, regional and national low-incidence provision would be funded, commissioned and governed within local SEND groups.

Without clarity on funding sufficiency, risk sharing arrangements, parental engagement, or safeguards to prevent inequitable outcomes, pooled funding risks redistributing pressure rather than improving provision. Greater detail, clear accountability and piloted models are needed before this proposal can be supported.

(1458 characters)

<p>Q33: How should disagreements about membership, provision, or funding in groups of schools for SEND be resolved?</p>	<p>It is difficult to give a definitive answer to this question given the limited clarity currently provided about the structure, purpose, governance and legal status of groups of schools for SEND. Without this foundational detail, implementation questions about resolving disagreements risk being speculative.</p> <p>That said, any system for resolving disagreements about membership, provision or funding should be underpinned by clear national expectations and transparent local governance. Decision-making processes, escalation routes and dispute-resolution mechanisms must be clearly defined from the outset, with roles and accountability explicitly set out for schools, trusts and local authorities.</p> <p>Independent mediation should be available where disputes cannot be resolved locally, particularly where disagreements have implications for children and young people’s access to provision. Parents and carers must have confidence that decisions are fair, evidence-based and challengeable.</p> <p>However, before such mechanisms can be designed or endorsed, the DfE must provide greater clarity on how SEND groups will operate, interact with trust governance and statutory duties, and manage pooled funding equitably.</p> <p>(1201 characters)</p>
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Specialist funding reform

Additional response

*We have serious concerns about the proposals relating to specialist funding reform, particularly the **lack of clarity, specificity, and meaningful opportunity for consultation with the special school sector**. We are concerned that the combination of Specialist Provision Packages (SPPs), which may limit the provision offer, as well as funding bands further limiting what special schools can offer to meet need, will **risk de-specialising** provision.*

While specialist provision is repeatedly referenced as an area requiring reform, there is no specific consultation question addressing specialist funding, despite the profound implications any reform will have for special schools and the children and young people they serve. This omission significantly limits the ability of the sector to engage constructively and raises concerns that policy decisions may be taken without sufficient understanding of their impact.

*The NASS Sonnet Impact Report, **Reaching My Potential**, provides strong evidence that when SEND needs are well met, outcomes improve across adulthood. The findings show better independence, employment and wellbeing, reducing pressure on families and delivering long-term savings to the public purse—**making SEND support an invest-to-save intervention**.*

*The move towards **national funding bands and a greater emphasis on standardisation appears to assume that specialist provision can be readily price controlled through uniform approaches**. NASS members are particularly concerned about the potential introduction of funding caps linked to bands, which risk constraining provision for pupils with the most complex needs. Special schools frequently support pupils whose needs evolve rapidly and unpredictably; funding models that imply a maximum cost per pupil risk incentivising restraint or avoidance rather than appropriate support.*

*There is also a notable lack of clarity about **how residential special schools would fit within any proposed banding or funding framework**. Residential provision reflects a holistic, 24-hour model of education, care, and therapy, often commissioned across education, health, and social care. The consultation documents do not explain how this complexity would be recognised, how education funding would interface with residential and care costs, or whether proposed bands are intended to reflect day provision only. This **absence of detail creates significant uncertainty for residential providers and commissioning local authorities alike**.*

More broadly, the proposals risk framing specialist provision primarily as a driver of cost pressures, rather than as a vital part of the SEND system supporting children whose needs cannot be met elsewhere. Rising expenditure in special schools reflects increased levels of need, workforce shortages, therapeutic requirements, and statutory duties – not inefficiency. Any funding reform that prioritises cost containment over realism risks destabilising a sector that is already under significant pressure.

NASS urges the Department for Education to publish clear, detailed proposals for specialist and residential special school funding reform, with explicit consultation questions, robust impact assessment, and genuine co-production with the special school sector before any changes are implemented. We urge DfE to produce a clear timeline for reform in order for schools to effectively incorporate any changes in their business planning processes. We would like to reiterate our offer to DfE to organise focus groups of NASS members to support the work by the Open Innovation Team.

*We have produced a separate thought piece for consideration as part of our consultation response. Please find attached a NASS policy paper on **The Role of Special Schools**.*

<https://www.nassschools.org.uk/wp-content/uploads/2026/05/NASS-paper-Role-of-Special-Schools-in-SEND-Reforms-consultation-May-2026.pdf>

Early years funding

Additional response

*While there is no specific question on early years funding, we welcome the Government's continued focus on early intervention and investment in the early years as part of SEND reform. High-quality early years provision can play a vital role in identifying needs early and improving long-term outcomes for children and families. However, it is **essential that increased investment in early years does not result in funding being diverted away from the wider SEND cohort**. Many children and young people's needs are not identified until after the age of five, particularly those with more complex, low-incidence or emerging needs. These children must not be disadvantaged by a funding system that over prioritises early years at the expense of inclusive and specialist provision across primary, secondary and specialist settings.*

*We would strongly urge the Government to consider the **introduction of fast-track routes to access specialist-layer support for children whose needs become evident beyond the early years**. SEND reform must ensure a balanced, whole-system approach, with sustainable funding that supports children and young people at all stages of education, not solely at the point of entry into the system.*

Accountability of Health, Care and Local Authorities

Additional response

*NASS is deeply concerned that both the SEND Reform consultation documents and the Schools White Paper give insufficient attention to **accountability across health, social care and local authorities**, despite repeated evidence that failures outside education are a primary barrier to children and young people with SEND accessing schooling at all.*

*The documents make repeated reference to improving educational outcomes, inclusion and consistency, yet there is **no direct consultation question** on how health bodies, social care services and local authorities will be held to account where their actions – or inaction – prevent access to education. This omission is significant and worrying.*

*For many children and young people with SEND, **health and care are not peripheral to education - they are gateways to it**. Without timely therapies, mental health support, nursing provision, suitable care packages, transport or home support, pupils cannot attend school, engage in learning or sustain placements. Education alone cannot resolve these barriers, yet the proposals largely treat SEND as an education system issue rather than a **shared statutory responsibility**. We do not believe that health services have the capacity to meet their responsibilities and increased demand for their services as mental health moves out of education. ICBs are not receiving the same funding boost as schools under these reforms.*

*NASS members routinely experience situations where schools and specialist providers are held to account for attendance, inclusion and outcomes, while **health services miss statutory timescales, care provision is delayed, or commissioning decisions undermine placement viability**—with few consequences. The consultation documents appear to brush this challenge aside, removing checks and balances rather than confronting the structural causes of system failure.*

*Without **clear accountability frameworks**, strengthened duties and enforceable consequences for non-compliance across all partners, reforms risk entrenching existing inequalities. Schools and specialist providers cannot compensate for the absence of health and care provision yet are too often left to manage the impact.*

*The consultation also underestimates the scale of the challenge in securing **genuine cross departmental buy-in**. Where there are no visible coordination and leadership at national government level across Education, Health and Social Care, it becomes increasingly difficult to secure consistent collaboration regionally and locally. Fragmentation at the centre inevitably leads to fragmentation on the ground. We would welcome more details on the scope and role of the proposed Partnership Groups.*

Proposed Solutions

NASS urges government to

- *Provide **clarity on the scope and role of the proposed local Partnership Groups**, especially how the full range of education providers are represented.*
- *Introduce **clear, shared accountability measures** for health, care and local authorities, aligned to children’s access to education.*
- *Strengthen **joint statutory duties** with transparent monitoring and published performance data.*
- *Establish **national cross-departmental oversight** for SEND, with authority to intervene where systemic barriers persist.*
- *Include explicit accountability questions and proposals in future consultation stages.*

*SEND reform will not succeed unless government recognises that **education outcomes are inseparable from health and care responsibility—and holds all partners equally to account.***

Q34: How can we ensure the most effective use of these local partnership groups?

To ensure local partnership groups are effective, they must be more than coordination forums; they should be decision influencing bodies with accountability and specialist expertise embedded from the outset. From a special school and NASS perspective, current proposals risk under-utilising the knowledge

	<p>of specialist providers, particularly in complex SEND, placements, workforce and outcomes.</p> <p>The Schools White Paper emphasises early intervention, inclusive practice and stronger local place planning. These ambitions will not be met unless specialist schools and colleges in all sectors are formal members of partnership groups, not consultees. Specialist providers hold real-time intelligence on demand, complexity, sufficiency gaps and what works for pupils with the highest needs.</p> <p>To strengthen impact, partnership groups should:</p> <ul style="list-style-type: none">• include mandated representation from special schools, specialist colleges and independent/non-maintained providers• have clear routes to influence commissioning, banding, and capital decisions• use transparent data on needs, outcomes and cost-effectiveness across mainstream and specialist settings• be supported to pilot innovation (e.g. outreach, blended placements), reflecting the White Paper's focus on system learning. <p>Without this, partnerships risk replicating existing structures rather than driving reform. Meaningful specialist involvement will improve system resilience, parent confidence and outcomes for children with SEND.</p> <p>(1470 characters)</p>
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<p>Q35. Which stakeholders are important for the success of local partnership groups, and why?</p>	<p>Local partnership groups will only succeed if they include education, health and care partners with equal status and accountability. Essential stakeholders include local authorities, health commissioners (ICBs), mainstream and specialist schools (including independent and non-maintained special schools), early years and FE providers, social care, VCSE organisations, and families and young people. Specialist and independent special schools bring system-wide expertise in complex SEND, sufficiency and workforce development, aligning with the <i>Schools White Paper</i> emphasis on collaboration, inclusion and spreading best practice across local systems.</p> <p>Challenges include unequal power dynamics, inconsistent health engagement, and insufficient involvement of specialist provision, which can lead to weak joint commissioning and poor placement sufficiency.</p> <p>Solutions and suggestions:</p> <ul style="list-style-type: none"> • Place statutory duties on health and local authorities to participate and co-commission. • Mandate representation from specialist and independent special schools to inform planning and inclusion. • Provide clear governance, escalation routes and shared outcomes, as promoted in the <i>Schools White Paper</i>. • Ensure parent and young person voice is embedded through supported participation, not consultation alone.
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	<p>These measures would strengthen accountability, build trust, and ensure reforms deliver genuinely joined up SEND support.</p> <p>(1418 characters)</p>
<p>Q36: How can we build stronger collaboration and a culture of improvement through local SEND strategic plans?</p>	<p>Local SEND strategic plans should be coproduced with special schools and other key stakeholders and focus on shared accountability, not competition. For NASS members, this means:</p> <ul style="list-style-type: none"> • Place special schools as system partners, not end-of-line provision: include them in needs analysis, workforce planning and early intervention design, reflecting the SEND reforms' emphasis on inclusive, local solutions. • Establish locality-based SEND improvement boards with decision-making authority, bringing together LAs, health, mainstream and special schools to oversee delivery against clear outcomes. • Use shared improvement metrics - progress (from starting point and not only age related), attendance, stability of placements, family confidence - rather than narrow thresholds, aligning with the Schools White Paper's focus on standards and improvement. • Fund collaboration time: protected capacity for joint training, peer review, outreach and moderated SEND reviews led by special schools. • Embed knowledge sharing models, such as special schools leading hubs for complex needs, behaviour, and therapies, supporting mainstream inclusion while sustaining specialist expertise. • Create transparent feedback loops where families and providers can challenge underperformance and inform plan updates annually.

	<p>This approach builds trust, improves consistency, and aligns system incentives around better outcomes for children and young people with SEND.</p> <p>(1438 characters)</p>
<p>Q37. What information, advice and guidance can best support children, young people and their families to ensure greater fairness across the system?</p>	<p>Clear, consistent and trusted information, advice and guidance (IAG) is essential to fairness across the SEND system. Families need a single, navigable source of plain English guidance covering routes of support, thresholds, timescales, local entitlements and redress, alongside tailored explanations at key transition points (early years, primary–secondary, post-16). Independent, face-to-face and digitally accessible advice should sit alongside this, enabling families to understand options and make informed choices.</p> <p>Special schools already provide much of this support, despite it not being part of the formal education package. Through daily contact and strong school–home relationships, staff help parents and children and young people (CYP) navigate assessments, EHCP processes, health and social care interfaces, and transitions. They interpret complex guidance, advocate for CYP, and build parent confidence to engage with the system. This relational support is vital but is overly dependent on individual school capacity.</p> <p>(1031 characters)</p>

Resolution and legal framework

Additional response

NASS is disappointed that there is **no specific consultation question on resolution and the legal framework**, despite this being one of the most significant elements of SEND reform. Proposals affecting dispute resolution, mediation and tribunal access go to the heart of how children and young people's rights are upheld. The absence of a direct question limits meaningful engagement and risks undermining confidence in the reform process.

The reform proposals place strong emphasis on **earlier resolution**, reduced reliance on legal challenge, and greater consistency through national standards. While NASS supports genuine early resolution, we are concerned that the proposals frame tribunal appeals primarily as evidence of system failure, rather than as a **necessary legal safeguard** when statutory duties are not met. For families of children with complex needs, particularly those attending independent and non-maintained special schools, tribunal appeals are a last resort following prolonged delay or repeated failure.

NASS is concerned that the reforms risk **weakening enforceable rights without guaranteeing improved delivery**. Independent and non-maintained special schools are frequently involved only after local systems have failed to meet need. Any reduction in families' ability to challenge decisions, without clear evidence of improved commissioning, capacity and accountability, risks entrenching inequity and delaying access to appropriate specialist provision.

There is also an overreliance on **mediation and informal resolution**, without sufficient recognition of the power imbalance between families and local authorities. Mediation is not neutral where one party controls statutory decision-making and resources, and where outcomes are non-binding. Without independence, advocacy and enforceable follow-through, mediation risks becoming a delaying mechanism rather than a route to lawful resolution.

From a NASS perspective, the proposals insufficiently reflect the **complexity of disputes involving children and young people with significant or low incidence needs**, where placement decisions require specialist expertise and cannot be resolved through generic processes. A framework designed to reduce challenge in mainstream contexts risks disadvantaging those who require specialist or independent provision.

NASS believes reform should focus on **strengthening accountability earlier**, not restricting challenge later. We would support

- *Retain existing tribunal rights, especially to choice of setting*
- *genuinely independent resolution and mediation services, with parity of arms for families*
- *binding or time limited escalation routes for complex placement disputes*
- *early expert input, including from specialist providers*
- *consequences for repeated non-compliance, alongside individual redress*

If national standards are intended to reduce conflict, they must sit alongside robust enforcement, not replace individual rights.

*NASS urges the Department for Education to conduct an additional formal consultation on resolution and the legal framework and to work with specialist providers to ensure reforms reduce dispute through **better accountability and decision making**, not by limiting access to justice.*

Strengthening the scrutiny of complaints data

Additional response

Although the consultation does not include a specific question on strengthening the scrutiny of complaints data, NASS believes this is a critical element of any effective SEND accountability and improvement framework.

Complaints data, when used well, can provide valuable system intelligence about pressure points in local provision, commissioning failures, delays in assessment and placement, and breakdowns in trust between families and services. At present, complaints data is fragmented, inconsistently collected, and rarely triangulated with wider SEND performance information. This limits its usefulness as an early warning mechanism and reduces transparency for children, young people and families.

NASS would welcome clearer national expectations on the consistent collection, analysis and publication of SEND-related complaints data across local authorities, health partners and commissioned providers. This should include a focus on trends, learning and resolution, rather than volume alone, and should avoid creating perverse incentives to underreport or defensively manage complaints.

Importantly, complaints scrutiny should sit alongside—rather than replace—meaningful engagement with families and providers. Education providers are often recipients of complaints that originate from systemic issues beyond their control; scrutiny arrangements must therefore consider the wider system context and ensure fairness.

Strengthening complaints data scrutiny, used proportionately and intelligently, would support earlier intervention, improved practice and greater confidence in the SEND system overall.

Resolving concerns about specialist provision

Additional response

*NASS supports the intention to reduce adversarial processes and strengthen earlier resolution where disagreements arise about specialist provision. However, the proposals as they stand **risk shifting complexity and risk onto families and providers** unless carefully implemented with stronger safeguards.*

*We welcome the commitment to **strengthening independent mediation and improving consistency in Tribunal decision making**. High-quality, genuinely independent mediation can help rebuild trust and reduce unnecessary escalation. However, **mediation must not become a barrier to accessing statutory rights**. Families often seek specialist provision at points of crisis, and any expectation to “consider” mediation must be time-limited, well-resourced and supported by skilled mediators with deep expertise in complex SEND and specialist education. Mediation outcomes must also be enforceable, with clear accountability on local authorities to act.*

*The proposal that Tribunals determine eligibility for Specialist Provision Packages, but not name placements, raises significant concerns. In practice, **placement suitability is inseparable from provision**. Specialist schools frequently deliver highly differentiated, integrated educational and therapeutic models; without clarity on placement, families may face repeated uncertainty and delay. A more workable approach would allow Tribunals to be able to name an alternative setting, as it can currently.*

We welcome greater transparency through a national Tribunal outcomes dashboard and local authority duties to respond to judgments. This should be complemented by routine scrutiny of repeat findings against local authorities, triggering targeted intervention where patterns of poor decision making persist.

From a system perspective, early resolution will only succeed if specialist schools are recognised as partners, not just recipients of placement decisions. Special schools should be routinely involved earlier in mediation and assessment

discussions, bringing practical expertise on suitability, capacity and outcomes. This would reduce disputes, improve decision quality and support more sustainable placements.

Q38. Do you agree that a SEND specialist (e.g. a SENCO) should sit on the school complaint panel, when the complaint relates to SEND support and provision?

Please explain why.

NASS agrees that complaints relating to SEND support and provision should be informed by appropriate specialist knowledge. However, we do not agree that this is best achieved by simply placing a SEND specialist, such as the school's own SENCO, on the school complaint panel.

While SEND expertise is essential, there is a significant risk of perceived or actual conflict of interest if the specialist is part of the school whose decisions are being challenged. SENCOs are often directly involved in the support, resourcing and decisions under complaint, and may be constrained by institutional pressures, capacity issues or funding limitations. This can undermine confidence in the independence and fairness of the process for parents and young people.

NASS would support models that ensure independent SEND expertise, for example through external specialists, peer reviewers, or local or regional SEND practitioners who are not connected to the school. This would strengthen the quality of decision-making while safeguarding objectivity and trust.

Any reform must prioritise procedural fairness, transparency and parental confidence. Without independence, the presence of a SEND specialist risks becoming tokenistic rather than improving outcomes. Complaints processes should also be accessible, trauma-informed and aligned with children and young people's rights, rather than placing additional administrative burden on schools already under pressure.

(1449 characters)

Information, advice and guidance for parents and independent oversight of the system

Plans for improved family support and engagement

Additional response

*NASS welcomes the recognition that improved **family support and engagement** are essential to positive outcomes for children and young people with SEND. However, the proposals lack clarity, specificity and integration with the school system, raising concerns about deliverability and impact.*

*While references are made to “earlier support”, “joined-up services” and “improved parental confidence”, there is **limited detail on what is being proposed in practice, who will deliver this support, how it will be funded, or how families will navigate new arrangements alongside existing school-based processes.** The consultation appears to assume that improved family engagement will emerge from broader system reforms, rather than requiring explicit structures, accountability and resourcing.*

*Crucially, there is insufficient consideration of **how family support services will integrate with schools, particularly special schools.** Schools already act as a primary, trusted point of contact for families, yet the proposals risk creating parallel systems without clear interfaces, potentially increasing fragmentation rather than reducing it.*

NASS is concerned that without a clearly articulated role for schools, including special schools, family support initiatives may place additional burdens on families to coordinate services, and on schools to compensate for gaps elsewhere. Any reforms must recognise schools as key partners, ensure consistent information sharing (with appropriate safeguards), and avoid shifting responsibility without capacity.

We urge the DfE to set out a clear, coherent model for family support that is embedded within local SEND systems, aligned with school-led planning, and adequately resourced. Without this, the ambition to improve family engagement risks remaining aspirational rather than transformational.

Independent oversight

Additional response

NASS remains deeply concerned that the proposals in the SEND Reform 2026 consultation and the Schools White Paper do not yet demonstrate a credible or genuinely independent approach to oversight. Previous SEND reforms have been characterised by weak accountability, blurred responsibility and limited consequences for systemic failure. Against this backdrop, the proposals for expanded independent oversight appear underdeveloped and risk replicating existing weaknesses rather than addressing them.

Children's Commissioner Expanded Remit but Limited Impact

The proposal to widen the Children's Commissioner for England's (CCE) role in overseeing SEND reform lacks ambition and clarity. As currently framed, it risks being largely symbolic, offering reassurance without meaningful leverage over a system that has consistently failed children and families.

Key gaps and risks

- *No clear statutory powers to require information, initiate investigations, or challenge local or national bodies.*
- *Insufficient safeguards to protect independence from departmental priorities or political pressure.*
- *Absence of a clear mechanism linking the Commissioner's findings to policy change, improvement action or accountability.*
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Suggested solutions

- *Provide explicit statutory powers for SEND-focused investigations and thematic reviews.*
- *Create a ring-fenced SEND function within the Commissioner's office, co-produced with children, young people and families.*
- *Require formal reporting on SEND to Parliament, with a duty on DfE, NHS England and LAs to respond.*

Expert Panel and Independent Chair: National Inclusion Standards

NASS has significant concerns that the proposed expert panel and independent chair arrangements for the National Inclusion Standards (NIS) could reinforce central control rather than provide meaningful challenge. Without robust independence and balanced expertise, the NIS risk becoming a cost-management tool rather than a driver of genuine inclusion.

Key gaps and risks

- Lack of transparency on panel membership and appointments, creating a risk of government-aligned or mainstream-dominated perspectives.*
- Insufficient recognition of specialist providers’ parents’ and practitioners’ expertise.*
- Risk that NIS become minimum compliance thresholds used to justify reduced specialist provision or delayed statutory support.*

Suggested solutions

- Mandate representation from independent and non-maintained special schools, health professionals, parents and young people.*
- Appoint the independent chair through an open, transparent process not controlled by the Department.*
- Require periodic independent evaluation of the NIS based on outcomes, system behaviour and placement sufficiency, not compliance alone.*

Q39. This consultation outlines a series of measures intended to reform the SEND system. Some of these measures have already been finalised, and this is clearly indicated within the document.

We are disappointed that such an important consultation has failed to provide real opportunity for challenge of key elements of the proposals. We are also very concerned about the statement in Q39 “Some of these measures have already been finalised, and this is clearly indicated within the document”.

<p>With this in mind, is there anything further you would like to contribute to help inform the remaining proposals that are still under consideration.</p>	<p>Questions are too focused and it is impossible to provide responses to cover all our concerns. A limit of 1500 character is too low when having to fit so many aspects into one question. To this end, we have sent a copy of our response in addition to our submission to the consultation portal email address. This submission will include:</p> <ul style="list-style-type: none"> - Our Consultation submission – but with more detail and addressing some of the questions that were missing in the consultation. - NASS Paper responses on the specific proposals for Independent Special Schools (ISS), The role of special schools and a NASS Paper on Specialist Provision Packages (SPP).
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Part five: building an inclusive system together

Timeline and process

Additional response

NASS is concerned that the proposed timeline and process for SEND reform lack the detail, realism and co-production necessary to achieve meaningful, sustainable change. While the ambition to reform the system is welcome, the consultation document sets out a high-level timetable without sufficient clarity on policy design, operational readiness, funding mechanisms or accountability. This risks undermining confidence across the SEND sector at a time when trust and stability are essential.

Key aspects of the reforms are deferred to future guidance or pilots, leaving schools, local authorities, families and providers unable to assess impact or feasibility. This includes the detail of new assessment routes, commissioning

arrangements, workforce expectations and transitional protections for children and young people currently supported through EHCPs. Consulting on timelines without these critical elements significantly limits the consultation's value.

*The **proposed pace of change does not sufficiently reflect current system pressures.** The SEND workforce is already overstretched, parents report low confidence in statutory processes, and specialist provision is operating at or beyond capacity. **Implementing reforms at scale without extensive testing, training and engagement risks destabilising provision and increasing inequity.***

For reform to succeed, DfE must invest substantially more time and resource in engagement and delivery preparation. NASS recommends

- *A well-defined Theory of Change document, setting out what Government expects to happen at each point in the introduction of the new system, e.g. numbers of EHCPs, number of inclusion bases, placements in special schools etc.*
- ***A phased, sequenced implementation plan** published alongside final policy decisions, clearly distinguishing pilot, transition and full rollout stages.*
- ***Early release of draft operational guidance and funding models** for formal consultation, not post-implementation clarification.*
- ***National co-production structures** involving parents, specialist and mainstream schools, local authorities and health partners to shape detailed design.*
- ***Funded workforce development and change management**, including time for training before reforms go live.*
- ***Clear transitional protections** for children and young people to prevent loss of support during system change.*

Without addressing these issues, the proposed timeline risks being unrealistic and counterproductive. Sustainable SEND reform requires transparency, collaboration and sufficient lead-in time to bring professionals, families and the sector fully on board.