

Research Briefing

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The Schools White Paper 2026: Special Educational Needs and Disability (SEND) Reform



Summary

- 1 Existing system of support
- 2 How has the SEND system functioned?
- 3 2026 white paper and SEND reform
- 4 Reaction

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Summary

The schools white paper, [Every Child Achieving and Thriving](#), was published on 23 February 2026. The white paper included major reforms to the system of support for children and young people with special educational needs and disabilities (SEND) in England.

Alongside the white paper, a consultation on the SEND proposals, [SEND reform: putting children and young people first](#), was also published. The consultation is open until 18 May 2026.

The [government's announcement of the SEND reform plans](#) described the proposals as a “radical expansion” of rights for children with SEND.

Pressures on the SEND system

In recent years, there have been increasing concerns about how the system of support for children and young people with SEND is functioning.

The existing system of support was introduced in 2014. It offers support for children and young people at different levels, within their educational setting and, for those with the most severe needs, through formal education, health and care plans (EHCPs).

Over the last decade, the number of children and young people with EHCPs has risen sharply, as have financial pressures on local authorities (which include educational provision and related costs such as transport). This has taken place alongside struggles for parents to obtain support for their children, with a rising number of cases successfully taken to tribunal.

A series of reports have identified problems across the system and advocated major reform, including the Commons Education Committee report, [Solving the SEND Crisis](#), published in September 2025.

White paper proposals

The white paper makes a series of proposals to reform the SEND system, including:

- shifting the emphasis of SEND support towards greater inclusion in mainstream settings

- introducing a new tiered approach to support: universal, targeted, targeted plus, and specialist
- ensuring all schools and other educational settings create digital Individual Support Plans for any child or young person with identified SEND
- increasing specialist support for schools
- changing the law on independent special schools to ensure that local authorities pay a reasonable price for placements

The proposals stand alongside related government announcements in recent months, including that all local authorities with SEND deficits will receive a grant covering 90% of their high-needs deficit up to the end of 2025/26.

Implementation

The proposed reformed system of support for SEND would require legislative change. This is not expected to come into effect until September 2029. Until then, the current system would remain in place.

No changes to support received through education, health and care plans (EHCPs) would take place before at least September 2030.

In the meantime, wider support and funding for schools would be introduced to prepare for a reformed system.

1 Existing system of support

This chapter provides an overview of the system of support for children and young people with special educational needs in England introduced in 2014. This includes the expectations on local authorities and different levels of support, as well as how the system is funded. An introduction is also provided to the equivalent systems in Wales, Scotland, and Northern Ireland, and to international practice.

1.1 Legislation and Code of Practice

The [Children and Families Act 2014](#) provided for a major reform of the system for identifying children and young people in England with special educational needs (SEN), assessing their needs and making provision for them.

The statutory [Special Educational Needs and Disability \(SEND\): Code of practice](#), first published in 2014, sets out detailed information on the support available for children and young people aged 0 to 25 under the 2014 act.

1.2 Definition of special educational needs

The statutory SEND [Code of Practice](#) sets out the definition of special educational needs used in England:¹

A child or young person has SEN if they have a learning difficulty or disability which calls for special educational provision to be made for him or her.

A child of compulsory school age or a young person has a learning difficulty or disability if he or she:

- has a significantly greater difficulty in learning than the majority of others of the same age, or
- has a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions

¹ The Code of Practice refers to SEND (Special Educational Needs and Disability), whereas this section of the briefing is focused on children and young people with SEN. While many children with SEN will also have disabilities (and vice versa), this is not uniformly the case. This section focuses on educational support.

For children aged two or more, special educational provision is educational or training provision that is additional to or different from that made generally for other children or young people of the same age by mainstream schools, maintained nursery schools, mainstream post-16 institutions or by relevant early years providers. For a child under two years of age, special educational provision means educational provision of any kind.²

It is not necessary for particular medical conditions to have been assessed or diagnosed for these criteria to be met, and for support to be provided. An [article by the SEND charity IPSEA](#) provides useful information.³

1.3 Levels of support

The type of support that children and young people with SEN receive may vary widely, as the types of SEN that they may have are very different. However, two broad levels of support are in place:

- SEN support
- education, health and care plans

SEN support

SEN support is support given to a child or young person in their pre-school, school or college.

The gov.uk website says that [SEN support for children under 5](#) includes:

- a written progress check when a child is 2 years old
- a child health visitor carrying out a health check for a child if they're aged 2 to 3
- a written assessment in the summer term of a child's first year of primary school
- making reasonable adjustments for disabled children, such as providing aids like tactile signs

For children of compulsory school age, the following indicative list is provided of the [type of help a child might receive](#):

- a special learning programme
- extra help from a teacher or assistant

² Department for Education, [Special educational needs and disability code of practice: 0 to 25 years](#), January 2015, p15-16

³ IPSEA, [The myth of needing a diagnosis before you can get support](#), 8 April 2024

- working in a smaller group
- observation in class or at break
- help taking part in class activities
- extra encouragement in their learning; for example, to help them ask questions or try something they find difficult
- help communicating with other children
- support with physical or personal care difficulties; for example, eating, getting around school safely or using the toilet

A young person of 16 to 25 in further education would need to contact their school or college before starting a course, to ensure their needs can be met.

Education, health and care plans

Education, health and care plans (EHCPs) are for children and young people aged up to 25 who need more support than is available through SEN support. They aim to provide more substantial help for children and young people through a unified approach that reaches across education, health care and social care needs.

The gov.uk website makes clear that [parents can ask their local authority to carry out an assessment](#) if they think their child needs an EHCP.

A request can also be made by:

- anyone at the child's school
- a doctor
- a health visitor
- a nursery worker

A local authority has six weeks to decide whether or not to carry out an EHC needs assessment.

In conducting an EHC needs assessment, a local authority is required to:⁴

- establish and record the views, interests and aspirations of the parent(s) and child or young person
- provide a full description of the child or young person's special educational needs and any health and social care needs

⁴ Department for Education, [Special educational needs and disability code of practice: 0 to 25 years](#), January 2015, p142

- establish outcomes across education, health and social care based on the child or young person's needs and aspirations
- specify the provision required and how education, health and care services will work together to meet the child or young person's needs and support the achievement of the agreed outcomes

Barring exceptional circumstances, the whole process of EHC needs assessment and EHCP development, from the point when an assessment is requested (or a child or young person is brought to a local authority's attention) until the final EHCP is issued, must take no more than 20 weeks.⁵

A chart on page 154 of the [SEND Code of Practice](#) sets out the relevant processes and timescales.

Educational psychologists

During the EHC needs assessment process, a local authority must receive advice and information from an educational psychologist. Educational psychologists may also be involved in assessing and planning SEN support outside EHC assessment and planning processes.

The government currently funds around 200 postgraduate educational psychologist training places each year. Fully qualified educational psychologists will hold a PhD-level qualification, and must also gain an additional three years' post-qualification workplace experience.

There have been concerns about shortages of educational psychologists. In response to the publication of the Commons Education Committee's 2025 report on SEND, the Association of Educational Psychologists said the government was not providing enough funding to meet the rising demand for educational psychologists:

Our evidence to the Committee made clear that the Government's current commitment to fund training places for EPs is nowhere near sufficient to meet rising demand. Without additional, long-term funding and a national workforce plan, there will simply not be enough educational psychologists in the years ahead. The forthcoming Schools White Paper must set out a clear plan to increase the number of EPs, alongside national standards for inclusive provision and proper investment in early years services. Failing to do so would be a missed opportunity to put the SEND system on the right path.⁶

Educational psychologist employment patterns and numbers

There are different employment models for educational psychologists (EPs): some are employed directly by individual local authorities, but in some areas

⁵ Department for Education, [Special educational needs and disability code of practice: 0 to 25 years](#), January 2015, p152

⁶ Association of Educational Psychologists, [SEND system is at breaking point – Government must act on workforce shortages](#), 18 September 2025

EP services are outsourced, or are shared between more than one local authority.

In November 2024, the Department for Education's (DfE) school workforce census data captured around 2,190 full-time equivalent EPs employed by local authorities, up from around 1,690 in November 2019. However, this figure did not include jointly employed or outsourced EPs, nor those in private practice or employed directly by schools. The figure may also over-count EPs by a small margin, owing to the way that data is returned to the DfE.⁷

Trends in EHCP placements

Children and young people with EHCPs attend a wide variety of educational settings. The latest data is for plans maintained in January 2025, when:⁸

- 43.6% of EHC placements were in mainstream schools
- 30.4% were in special schools
- 13.8% were in further education or post-16 provision
- 7.8% were educated elsewhere; for example, in elective home education or in secure accommodation
- 0.8% were in alternative provision
- the remainder were in nursery settings, or did not have a placement recorded

Placement in independent specialist settings

Across England, the number of children and young people with an EHCP who are placed in independent special schools has more than doubled since January 2019, from around 13,700 to around 29,600 in January 2025: an increase of 116%.⁹ At the same time, the number of placements in state-funded special schools increased by 34%. Overall, independent special school placements remain a small proportion of all EHCP placements (4.6%).¹⁰

⁷ Department for Education, [Reporting year 2024/525, School workforce in England, custom table](#)

⁸ Department for Education, [Reporting year 2025, Education, health and care plans](#), published June 2024, [custom table](#)

⁹ This figure does not include placements in non-maintained special schools, which are run on a not-for-profit basis, and where fees are typically lower than at independent special schools.

¹⁰ Department for Education, [Reporting year 2025, Education, health and care plans](#), published June 2024, [custom table](#)

1.4

Funding

Funding for SEN in England is not allocated as a separate amount per pupil. SEN funding is part of the overall [Dedicated Schools Grant](#) (DSG) allocated to local authorities to fund their schools budgets. It is for local authorities, in consultation with their schools forums, to determine individual funding allocation to schools.

Responding to a parliamentary question in 2014, the then Minister for Children and Families, Edward Timpson, confirmed that the government does not directly provide SEN funding to local-authority-maintained schools, and said that this comes from schools' budgets or top-ups from local authorities:

The Department for Education does not give funds directly to local authority maintained schools. Funds for extra assistance with students with special educational needs (SEN) come from schools' budgets and, if the extra cost is more than £6,000 per year for an individual student, from local authorities in the form of top-up funding for the school. Local authorities can also give extra funding to schools with a disproportionate number of pupils with SEN. Special educational needs coordinators should therefore seek any additional funds required from the relevant local authority.¹¹

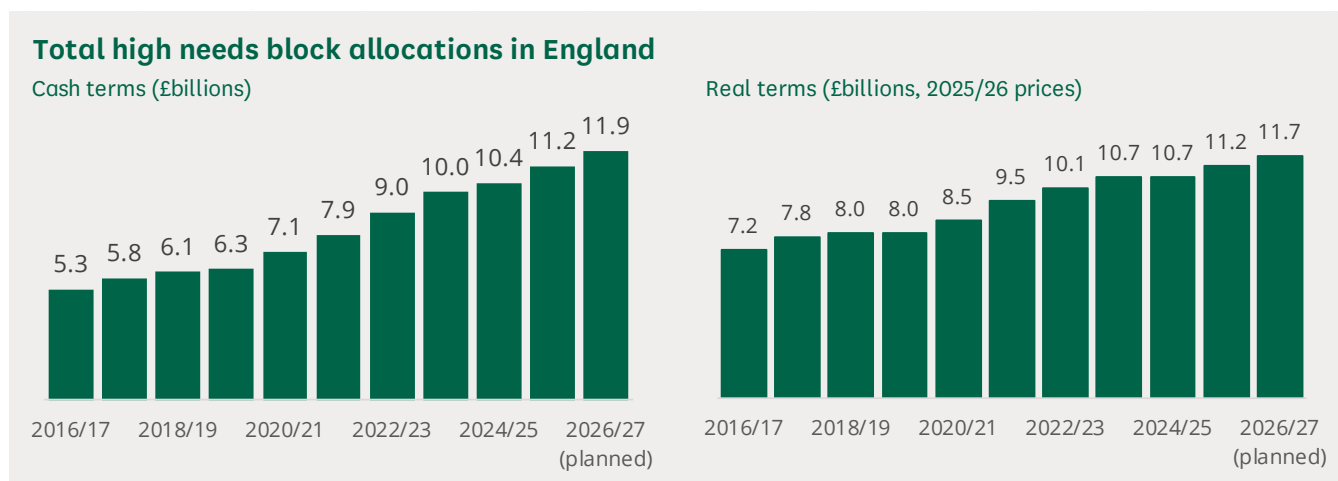
Mainstream academies are in a similar position. When planning their budgets, academies should take into account that they must use their school budget share (including the notional SEN funding) to cover up to £6,000 of additional costs per SEN pupil.

For maintained or academy special schools, a similar system is in place. However, these schools are funded at the higher level of £10,000 per SEN pupil, with any extra 'top-up' funding then provided by the local authority.¹²

The chart below shows the total high-needs block of the DSG over the last decade. This has increased by a real-terms annual average of 4%, giving a total 67% real-terms increase between 2016/17 and 2026/27. Some funding for SEN will come from other sources, including other parts of the DSG.

¹¹ [HC Deb 23 Jun 2014 c83W](#)

¹² Department for Education, [High needs funding: 2022 to 2023 operational guidance](#), March 2023, provides an overview of relevant funding



Source: DfE, [Dedicated schools grant, various years](#); HM Treasury, [GDP deflators](#)

Local authorities often spend more on education than the DSG provided to them. While it is not possible to determine where this additional spending is directed for individual authorities, it is widely accepted to be largely driven by high-needs spending.¹³

The following table shows the local authorities with the largest deficits in 2024/25; that is, the amount they spend over or under their DSG for schools. This is given in cash terms and as a proportion of their DSG income (after recoupment for academy funding). A list for all local authorities is provided in the excel file linked to the landing page of this briefing.

The local authority with the largest deficit as a proportion of their DSG was Bournemouth, Christchurch and Poole, at 95%. The authority with the largest deficit in cash terms was Hampshire, at £213.1 million.

¹³ [IFS, Spending on special educational needs in England: something has to change](#)

Largest dedicated school grant (DSG) deficits

2024/25 figures, DSG income figure is after recoupment, £millions

Largest deficits as a % of DSG income

Local authority	Deficit (£millions)	% of DSG income
Bournemouth, Christchurch and Poole	-£113.3	-95%
Cheshire East	-£112.1	-62%
Rutland	-£5.9	-62%
Dorset	-£95.6	-60%
Bath and North East Somerset	-£32.8	-51%
Wokingham	-£36.9	-43%
North Somerset	-£26.0	-42%
Devon	-£125.7	-38%
Worcestershire	-£98.1	-37%
Sefton	-£64.8	-37%

Largest deficits in cash terms

Local authority	Deficit (£millions)	% of DSG income
Hampshire	-£213.1	-20%
Surrey	-£141.9	-23%
Norfolk	-£131.9	-36%
Devon	-£125.7	-38%
West Sussex	-£123.2	-22%
Bournemouth, Christchurch and Poole	-£113.3	-95%
Cheshire East	-£112.1	-62%
Worcestershire	-£98.1	-37%
Suffolk	-£97.6	-35%
Kent	-£97.5	-11%

Source: DfE, [LA and school expenditure 2024-25 financial year](#), published 11 December, [custom table](#)

1.5

Support in Wales, Scotland, and Northern Ireland

Wales

The law on additional learning needs provision in Wales is set out in the [Additional Learning Needs and Education Tribunal \(Wales\) Act 2018](#), supported by the [Additional Learning Needs Code for Wales 2021](#) and accompanying regulations.

A statutory Individual Development Plan (IDP) must be prepared for learners who require additional learning provision, setting out the support they are entitled to and creating clear rights of appeal to the Education Tribunal

Wales. The legislative reform has been phased in since September 2021 and was fully implemented by August 2025.

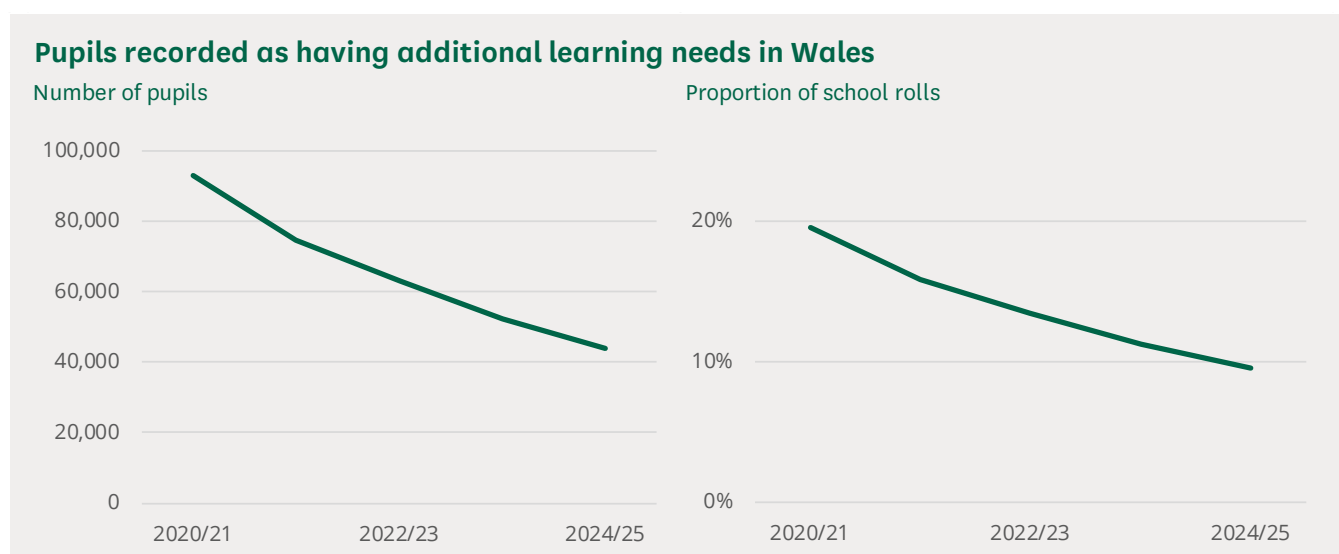
In Wales, most learners with additional learning needs (ALN) will hold an IDP with enforceable provision, regardless of severity, and the ALN Code imposes mandatory duties on schools, local authorities and health bodies to collaborate on holistic support.

Who is responsible for maintaining an IDP varies. For many children and young people with ALN, their school will both make the IDP and be responsible for providing it. For some learners with more complex needs, those attending special schools and some other groups of children, the local authority will be responsible for providing the IDP.

The [Additional Learning Needs Code](#) provides more detailed information, including the definition of ALN (see page 28).

Declining numbers of pupils identified as having ALN

The chart below shows the number of pupils recorded as having ALN in Wales. This has decreased from 92,668 in 2020/21 to 43,885 in 2024/25, equivalent to a fall from 19.5% to 9.5% of all pupils on school rolls.



Source: Welsh Government, [School census results](#) (several annual editions)

The Cabinet Secretary for Education told the Senedd Children, Young People and Education Committee in May 2024 that she was “really worried” about the decrease in recorded ALN numbers.¹⁴

As the definition for ALN is materially the same as that used for SEN prior to the recent reforms, the Senedd Children, Young People and Education Committee has expressed concern about what this represents (for example, whether these pupils are being supported in different ways, or not supported

¹⁴ Senedd, [Evidence to the Children, Young People, and Education Committee](#), 8 May 2024, para 35

at all), for example in an [interim report on the implementation of education reforms](#) (PDF) published in July 2024.¹⁵

Concerns that the extra work involved in providing statutory IDPs for all pupils with ALN could lead schools to “scale back the number of children they regard as having ALN” were raised by the then Senedd Children, Young People and Education Committee in its response to the Welsh Government’s consultation on the draft ALN code in March 2019.¹⁶

Scotland

Scotland uses the term additional support needs (ASN), which is a much broader definition than the concept of special educational needs (SEN) in England.

A person has additional support needs (ASN) if, for whatever reason, they are unlikely to be able to benefit from school education without additional support.

The law on ASN in Scotland is set out in the [Education \(Additional Support for Learning\) \(Scotland\) Act 2004](#), as amended.

There is [statutory guidance for Scotland similar to the SEND Code of Practice in England](#).

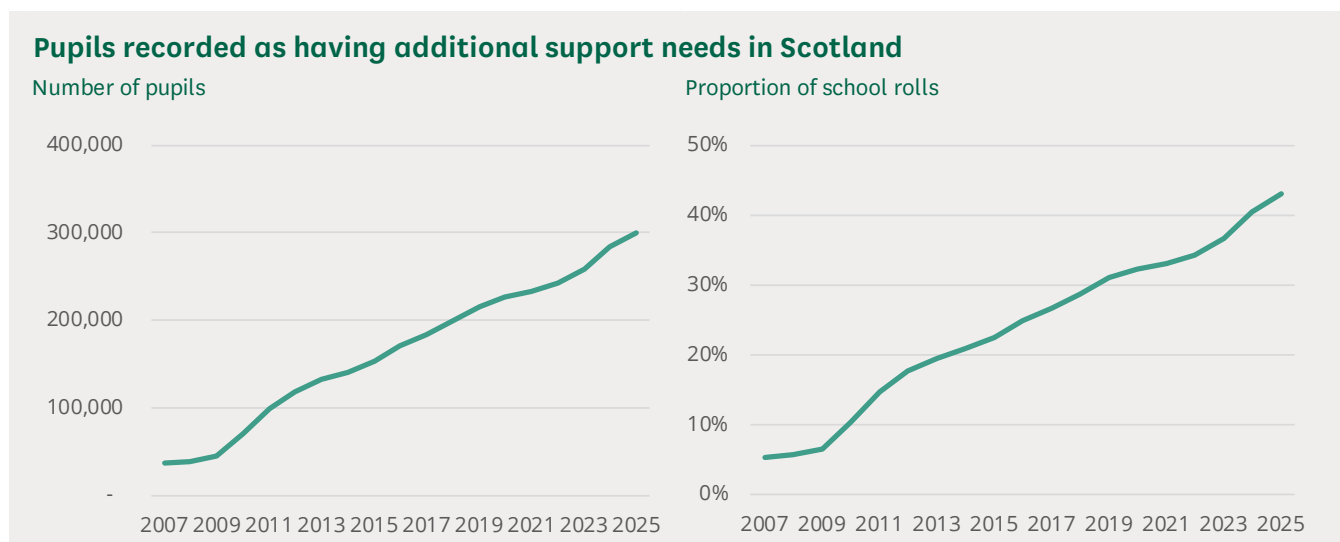
There is no direct equivalent of education, health and care plans (EHCPs) and SEN support in Scotland. For children with complex additional support needs, there is likely to be a formal planning process and parents/carers and pupils should be meaningfully involved in that process. There are a number of planning processes that a school/local authority might use.

Rising numbers of pupils with additional support needs

The number of pupils with additional learning needs has increased by an average of around 15,000 each year since 2007. This represents a rise from around 5% of pupils on school rolls (1 in 20 pupils) to 43% of school rolls (more than two in five pupils). This is shown in the chart below.

¹⁵ Senedd Children, Young People and Education Committee, [Implementation of education reforms: Interim Report](#), July 2024, see in particular paras 55-63

¹⁶ Senedd Children, Young People and Education Committee, [Letter to Minister for Education](#) (PDF), 22 March 2019, pp5-7

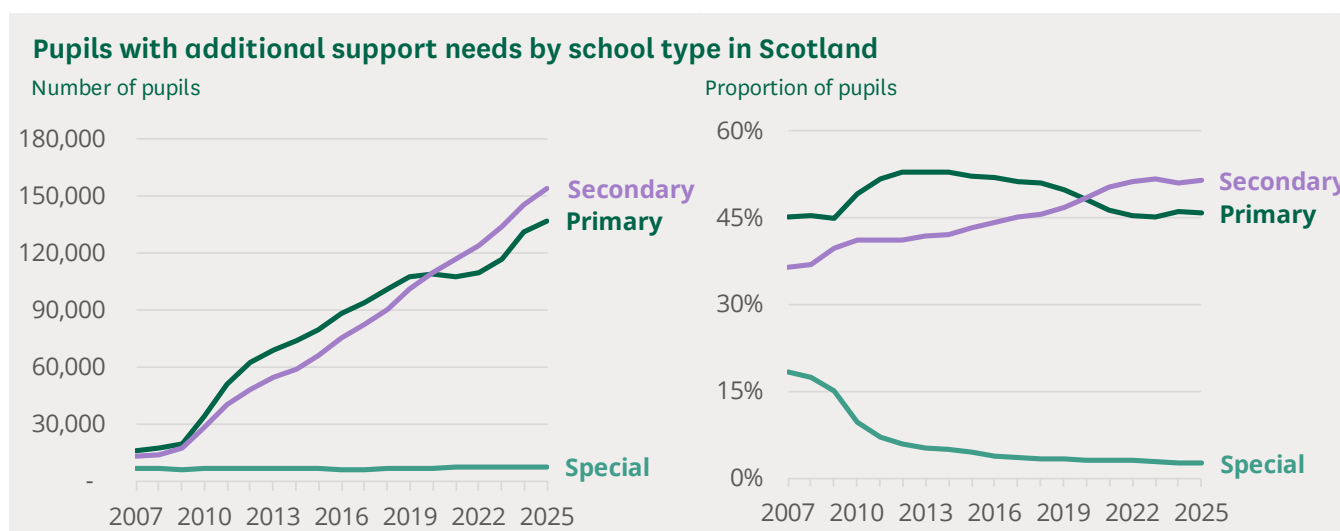


Source: Scottish Government, [Pupil census supplementary statistics 2025 - December partial release](#)

Most of this rise has taken place in mainstream schools. Between 2007 and 2025, the number of pupils with additional support needs has risen:

- from 16,478 to 137,312 in primary schools (+733%, a more than eightfold increase)
- from 13,357 to 154,044 in secondary schools (+1053%, a more than elevenfold increase)
- from 6,709 to 8,089 in special schools (a 21% increase)

This is shown in the chart below. Just under half of pupils on secondary school rolls had additional support needs in 2025 (49%).



Source: Scottish Government, [Pupil census supplementary statistics 2025 - December partial release](#)

Co-ordinated support plan

The only statutory plan in school education is the co-ordinated support plan under the 2004 act and associated regulations. Local authorities have a

statutory duty to put in place a co-ordinated support plan if the statutory conditions are met. These are that a child has longstanding ASN arising from one or more complex factors or multiple factors which require significant additional support to be provided by more than one service. The co-ordinated support plan is considered to be particularly important as it can open up additional routes of redress through the [ASN Tribunal](#).

Individualised Educational Programmes

An Individualised Educational Programme (IEP) is a tailored, individualised plan or programme of support which is expected to last up to a year. Learning targets within an IEP are usually of multiple months or termly duration, and are regularly reviewed. An IEP may also be known as an additional support plan, or other similar name.

The ASN statutory guidance states that an IEP is single agency plan to ensure that supports from the resources within the school or education authority are put in place to meet the pupil's needs.

Child's plan

A child's plan is a single or multi-agency plan based on an assessment guided by the [Getting it Right for Every Child National Practice Model](#). Again, this is a non-statutory plan.

A child's plan should set out:

- which services or people will provide support
- who is accountable for the support provided
- the way in which support will be provided

Northern Ireland

The [SEN Code of Practice \(1998\)](#) is statutory guidance based on the [Education Order \(Northern Ireland\) 1996](#) and [The Education \(SEN\) Regulations 2005](#).

A [new draft SEN Code of Practice](#) is not operational. Until it is, schools must continue to have regard to the 1998 SEN Code and its 2005 supplement in all respects with the exception of recording children with SEN under the new three stages.

The new three-stage SEN Code of Practice sets out three levels of support:

- school-delivered special educational provision
- school-delivered special educational provision plus external provision
- statement of SEN

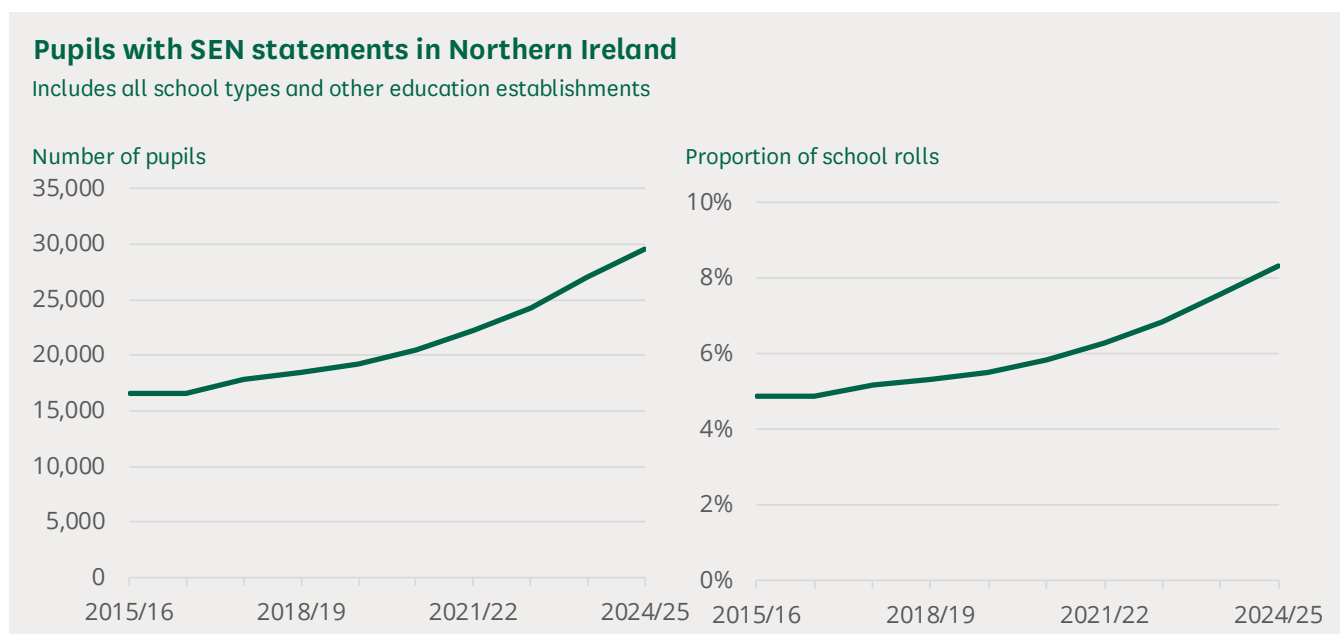
In 2023, the Northern Ireland Department of Education and the Northern Ireland Education Authority undertook an [End-to-End Review of SEN provision](#) at a system level, from early years to post-19 provision. This resulted in the [Special Educational Needs Reform Agenda](#), which was published in February 2025 with an associated delivery plan and outcomes framework. It is based on providing the right support, from the right people, at the right time.¹⁷

The reform agenda aims to achieve the following:

- children with SEN enjoy the benefits of inclusion and have the same opportunities as their peers without SEN
- parents and carers are assured and confident in the SEN processes and delivery approach
- staff and schools are confident in and capable of meeting needs
- services are child-and-young-person centred, high quality, timely, effective and efficient

A [SEN Reform Agenda Delivery Plan 2025-2030](#) was also published in February 2025.

The chart below shows the number of pupils with SEN statements each year. This has increased by 78% over the last 10 years, from 16,572 in 2015/16 to 29,499 in 2024/25. This represents a rise from 4.9% to 8.3% of pupils on school rolls.



Source: Northern Ireland Government, School enrolments, [2015/16](#), [2016/17](#), [2017/18](#), [2018/19](#), [2019/20](#), [2020/21](#), [2021/22](#), [2022/23](#), [2023/24](#), [2024/25](#)

Special education provision for children with SEN statements is funded centrally by the Education Authority. Pupils without statements can access

¹⁷ Department of Education, [SEN Reform Agenda](#), 4 February 2025

some support funded by the Education Authority, but their [support is primarily funded from school budgets](#). As a result, spending by the Education Authority on SEN has increased in alignment with the above chart. [The Education Authority spent](#) £254 million on SEN in 2017/18 compared with £714 million in 2024/25.

A 2023 Ipsos [Independent Review of SEN](#) (PDF) report contains a section on SEN funding in Northern Ireland. The report attributes increasing SEN spending largely to the fact that the number of SEN pupils at stage 3 (with a statement) had increased by over 4,200 over the previous five years. It also notes that “an increase in all pupils on the SEN register, an increase in the number of pupils with a Statement and increased costs per pupil have all contributed to significant overall costs.”¹⁸

1.6

International approaches

The following papers provide information on approaches to special educational needs support in other countries:

- Centre for Education Systems, [International Comparative Review: SEND policy](#), November 2025
- Nuffield Foundation, [An international analysis of SEND policy and practice: ScopeSEND](#), September 2024 to November 2026 research project (two reports)
- Organisation for Economic Co-operation and Development, [Review education policies: Special needs](#), October 2025

¹⁸ Ipsos, [Independent Review of Special Educational Needs Services and Processes: Final Report](#) (pdf), March 2023, p139-140

2 How has the SEND system functioned?

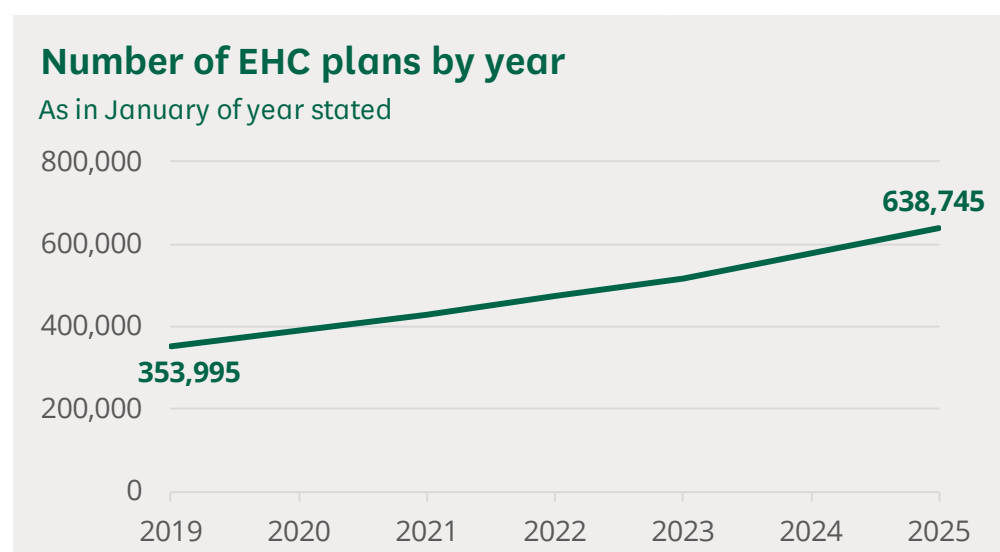
The system of support for children with special educational needs and disabilities (SEND) has been under significant pressure in recent years.

The number of children and young people with education, health and care plans (EHCPs) has risen sharply, and EHCPs have very often not been produced within the statutory 20-week timeframe. Appeals to the SEND Tribunal have also risen, with appellants successful in 99% of cases (although not necessarily on all appeal grounds).

There have been related strains on local authority budgets, which have prompted intervention from central government in many areas. Costs to local authorities in areas such as transport for children with SEND have also risen significantly.

2.1 Education, health and care plans

In recent years, the proportion of pupils with identified SEN and receiving support has increased.¹⁹ Not all such pupils have EHCPs, with some receiving SEN support through their school. In 2015/16, around 2.8% of pupils had an EHCP and 11.6% received other SEN support from their school. By 2024/25, 5.3% of children had an EHCP and 14.0% received other SEN support. The chart below shows the number of EHCPs active each year.



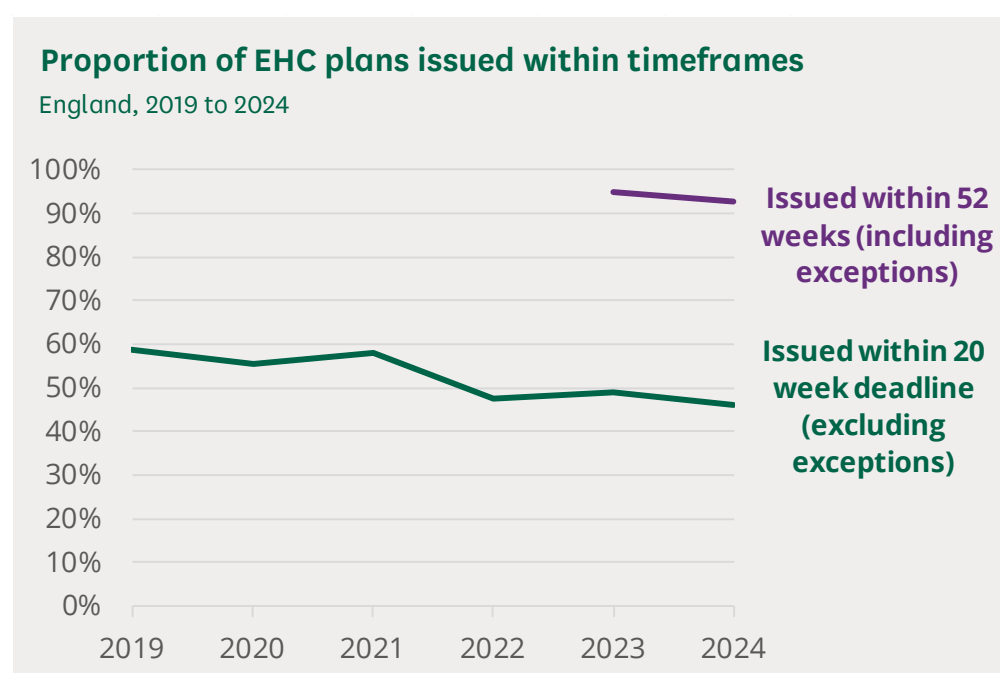
Source: Department for Education, [Education, health and care plans, custom table](#)

¹⁹ Department for Education, [custom table](#)

There is a legal requirement that it takes a maximum of 20 weeks between a needs assessment being requested and an EHCP being issued. This is set out in [section 13 of The Special Educational Needs and Disability Regulations](#). There are some exceptions to this outlined in [parts 10\(4\)\(a\) to \(d\) of these regulations](#).

The green line in the chart below shows the proportion of non-exempt plans issued within this 20-week timeframe. This decreased from 59% in 2019 to 46% in 2024.

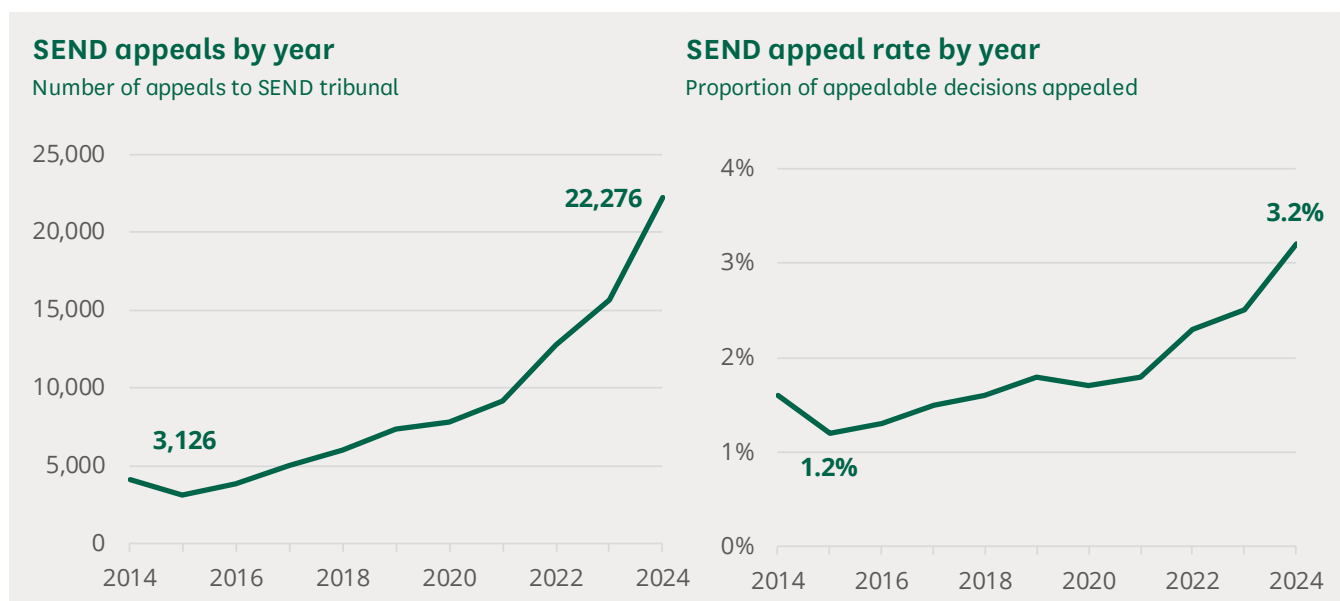
The purple line in the chart shows the proportion of all plans (including those exempt from the 20-week timeline) issued within 52 weeks. Data on the number of charts issued within 52 weeks has only been available since 2023. In 2024, 93% of plans were issued within 52 weeks and 7% were not.



Source: Department for Education, [Education, health and care plans, custom table](#)

Parents can contest decisions made around whether or not a child should be issued with an EHCP. The chart below shows the number of appeals made each year, and this as a proportion of the total appealable decisions each year.

Both figures have increased from minimums in 2015. The number of SEND appeals increased sevenfold (+613%) between 2015 and 2024. At the same time, the number of appealable decisions has increased. The proportion of appealable decisions being appealed increased by a smaller amount than the number of appeals. The proportion of appealable decisions being appealed increased more than twofold (+167%) between 2015 and 2024.



Source: Department for Education, [Education, health and care plans, SEND Tribunals and appeal rate 2014-2024](#)

Not all appeals reach the tribunal stage. However, those which do are typically decided in favour of the appellant. In 2024/25, 99% of cases decided by tribunal were decided in favour of the appellant.²⁰

2.2 Additional funding and support for local authorities facing financial challenges

‘Safety valve’ intervention programme

In the 2020/21 financial year, the Department for Education (DfE) introduced a programme where a number of local authorities facing the most significant

²⁰ This means that the majority of points raised were decided in the appellant’s favour, not necessarily all. For example, if they raised three points at the tribunal, and two were decided in their favour, this case would be recorded as decided in favour of the appellant. See [Annual Special Educational Needs and Disability \(SEND\) Statistics for data](#).

financial challenges were given additional funding and support to address their Dedicated Schools Grant deficits. This was known as the ‘safety valve’ intervention programme.

The original local authorities that signed safety valve agreements, committing them to addressing their budget deficits and managing overspends, were Stoke-on-Trent, Bury, Hammersmith and Fulham, Richmond upon Thames, and Kingston upon Thames.

A further nine local authorities signed safety valve agreements with the DfE during 2021/22. 20 more agreements were signed in 2022/23, and four in 2023/24, meaning a total of 38 local authorities now have safety valve agreements. A [list of authorities involved in the safety valve programme](#) can be found on the DfE website. The DfE has published [guidance on sustainable high-needs systems](#), and its intervention work with local authorities. This was last updated in October 2022.

In response to a parliamentary question in May 2024, the then Minister for Education, David Johnston, summarised the safety valve programme’s purpose, saying that it supported local authorities with the highest DSG deficits and required them to develop plans to reform their high-needs systems:

The Safety Valve programme supports the local authorities with the highest Dedicated Schools Grant (DSG) deficits. The programme requires the local authorities involved to develop substantial plans for reform to their high needs systems, with support and challenge from the department, to rapidly place them on a sustainable footing. If the local authorities can demonstrate sufficiently that their DSG management plans create lasting sustainability, including reaching an in-year balance, and are effective for children and young people, then the department will enter into an agreement.

Through the agreements, the local authorities are subsequently held to account for their reform and savings projections via regular reporting to the department. The department will help the local authorities with additional revenue funding over time to contribute to their historic deficits, but this is contingent on delivery of the reforms in the agreements.²¹

Criticism of the safety valve programme

In May 2024, the SEND charity IPSEA published information it had requested from [local authorities with safety valve arrangements](#) under the Freedom of Information Act. IPSEA were particularly concerned about what targets might exist to limit special educational provision as part of these agreements. From the information they received, IPSEA raised concerns that safety valve agreements were requiring local authorities to:²²

- reduce the number of EHC needs assessments

²¹ [PQ 27163 \[Special Educational Needs: Finance\], 24 May 2024](#)

²² IPSEA, [Prioritise needs over numbers, and end the safety valve intervention programme](#), 10 May 2024

- reduce the number of children and young people attending special schools and colleges
- reduce the number of children and young people attending a school or college outside their local area
- cease to maintain larger numbers of EHCPs

IPSEA said that the responses raised concerns that the programme prioritised saving money over children and young people's needs and the associated legal duties, and called for the safety valve programme to be scrapped.²³

Pause of the safety valve programme

Shortly after taking office, the Labour government announced a pause to the safety valve programme. It said that the Department for Education would review the programme's effects:

The department is also conducting a research project into the impact of Safety Valves in local areas. This will help us further understand the experience of children, parents, carers and schools.

The department has confirmed that it will not enter into any more Safety Valve agreements for councils that have financial deficits, pending wider reform of the whole system to prioritise early intervention, properly supporting councils to bring their finances under control. We will continue to work with local authorities that have Safety Valve agreements with the department, to deliver their plans.²⁴

Delivering Better Value in SEND

Alongside the safety valve programme, the DfE has also introduced the [Delivering Better Value in SEND](#) (DBV in SEND) programme. DBV in SEND is an optional programme. It works with 54 local authorities, which can apply for grants from the DfE, and is connected with work to identify and address budget pressures in these authorities. The authorities were chosen “based on those with the highest deficits as at 2020-21 (after those authorities that have already been invited to join the DfE’s safety valve programme).”²⁵ However, the government said that DBV “will not ‘write off’ any high needs budget deficits”.²⁶ A [list of participating local authorities](#) can be found on the DBV website.

²³ As above

²⁴ [PQ HL3554 \[Special educational needs\], 30 December 2024](#)

²⁵ Department for Education, [Guidance on our intervention work with local authorities](#), October 2022, p3

²⁶ Delivering better value in SEND, [“about” website article](#), undated

There have been reports suggesting that participating DBV local authorities may face targets to reduce the number of EHCPs, and concerns about the likely success of the programme in reducing local authority deficits.^{27 28}

In October 2023, the then Minister for Education, David Johnston said that the DBV in SEND programme had no plans to reduce the number of EHCPs:

The department's Delivering Better Value (DBV) programme has no targets to reduce the number of new Education, Health and Care (EHC) plans. Decisions about individual children and young people and whether they require EHC plans must be made on an individual basis, following the processes set out in the Children and Families Act 2014. The department is protecting every parent and family's existing legal right to an EHC plan when they need one, and that will not change.

The DBV programme is part of the wider reform work set out in detail in the Special Educational Needs and Disabilities (SEND) and Alternative Provision (AP) Improvement Plan. DBV aims to put the SEND system on a more sustainable footing by funding system transformation in up to 55 local authorities with high dedicated schools grant deficits. It does so by providing diagnostic support to each local authority to engage with its stakeholders and identify opportunities to improve services and meet children's needs at an early stage and with the right level of support.²⁹

In October 2024, the DfE published a research report on [Findings from Phase One of DBV](#). The report's key findings were that:³⁰

- 65% of the children and young people reviewed could have had their needs met in a more effective way
- an improved system could lead to 30,000 more children having their needs met through SEN support and 35,000 more children having their needs met in a mainstream setting rather than a specialist placement, including 15,000 more children supported through resourced provision
- the main barrier to more effective support for children and young people was being supported in a provision that is not most effective for them

Statutory override

A 'statutory override' for SEND-related deficits was introduced by the Ministry of Housing, Communities and Local Government in 2020. The override allows local authorities to exclude any deficits on their Dedicated Schools Grant (DSG) spending from their main revenue budgets, meaning that local authorities' DSG deficits could be separated from their wider accounts.³¹ The

²⁷ See: Matt Keer and Tania Tirraoro, Special Needs Jungle, "[DBV Part 2: 20% EHCP cuts? After repeated denials, the Department for Education's got some explaining to do...](#)", 11 September 2023

²⁸ "[Government SEND savings plan will barely dent council deficits](#)", Schools Week, 29 September 2023

²⁹ [PQ 203508 \[on Special Educational Needs\], 25 October 2023](#)

³⁰ Department for Education, [Delivering Better Value in SEND: Phase 1 Insight Summary](#), October 2024, p12

³¹ [PQ 98741 \[Special Educational Needs\], 7 December 2022](#)

override ran initially until March 2023, but in December 2022 was extended to the end of March 2026.³²

Extension of the statutory override to 2028

In June 2025, the Labour government announced that, while reforms were being made to the system of support for SEND, the [DSG statutory override will stay in place until the end of 2027/28](#).³³

Budget announcement: Post-2028 position

The [autumn 2025 Budget](#) said that the government would absorb the cost of the DSG statutory override through central budgets once the override expires in 2028:

Future funding implications will be managed within the overall government DEL envelope, such that the government would not expect local authorities to need to fund future special educational needs costs from general funds, once the Statutory Override ends at the end of 2027-28. The government will set out further details on its plans to support local authorities with historic and accruing deficits and conditions for accessing such support through the upcoming Local Government Finance Settlement.³⁴

Write-off of councils' SEND-related deficits

On 9 February 2026, the government announced that it will be [writing off 90% of councils' historic SEND-related deficits](#) up to 2025/26, and that the safety valve programme would end.³⁵

The Secretary of State for Housing, Communities, and Local Government, Steve Reed, told the House:

Crucially, we are taking action now to support local authorities as we move towards that reformed system. We will deliver this in phases, the first of which will address historic deficits accrued up to the end of 2025-26. All local authorities with SEND deficits will receive a grant covering 90% of their high-need deficit up to the end of 2025-26. This is subject to local authorities securing the Department for Education's approval of a local SEND reform plan.³⁶

³² Levelling Up, Housing and Communities Committee, [Financial distress in local authorities](#), Third Report of Session 2023-24, HC 56, p30

³³ Ministry of Housing, Communities and Local Government, [Fairer funding for councils across the country in major reform](#), 20 June 2025

³⁴ HM Treasury, [Budget 2025](#), November 2025, p105

³⁵ Ministry of Housing, Communities and Local Government, [Communities set to benefit from fairer funding](#), 9 February 2026; [Explanatory note on the government's approach Dedicated Schools Grant deficits](#), 9 February 2026

³⁶ [HC Deb 11 Feb 2026 c833](#)

2.3

SEN and home-to-school transport

As set out in statutory [home to school transport guidance](#) for England, local authorities have duties to provide home-to-school transport for children of compulsory school age in some cases.

The guidance provides an overview of considerations relating to children with special educational needs or disabilities, which it says must be considered on a case-by-case basis. In particular, it states:

A child is eligible for free travel to school if:

- they attend their nearest suitable school, and
- it is within the statutory walking distance of their home, and
- they could not reasonably be expected to walk there because of their special educational needs, disability or mobility problem, even if they were accompanied by their parent [...]

To be eligible on these grounds, a child does not need to:

- have an Education Health and Care plan (EHC plan); or
- have travel to school specified in their EHC plan if they have one; or
- attend a special school; or
- live beyond the statutory walking distance.³⁷

A child's needs must be considered as part of any transport arranged for them. The guidance is not prescriptive on how these duties are met.

Related pressure on local authority finances and planned funding changes

The National Audit Office (NAO) report on [Support for children and young people with special educational needs](#), published in October 2024, highlighted transport as an important example of other local authority funding being used to support those with SEN, and said that local authorities spent £1.4 billion on SEN home-to-school transport in 2022/23, an 80% real-terms increase from 2015/16.³⁸

A further NAO report, published in October 2025, on [Home to School Transport](#), found that spending was continuing to rise, and that in 2023/24

³⁷ Department for Education, [Travel to school for children of compulsory school age](#), January 2024, pp11-12

³⁸ National Audit Office, [Support for children and young people with special educational needs](#), October 2024, p20

local authorities spent £1.5 billion on transporting children and young people with SEN.³⁹ The report also noted that local authorities consistently spend more on home-to-school transport than they have budgeted.⁴⁰

In July 2025, the Local Government Association published research which found that [spending by councils on home-to-school transport](#) for children with special educational needs and disabilities was predicted to reach nearly £2 billion in 2025/26.⁴¹ The report said that this was due to an increase in the number of children with EHCPs, children needing to attend school further from home, and complex needs:

Key factors behind the increased cost of SEND transport include a rise in children with Education, Health and Care Plans (which set out the support a child will receive), more children having to be placed further from home and outside their local area, and changes in complexity of need, which for example might require individualised transport arrangements.⁴²

A February 2026 [report from the County Councils Network](#) estimated the yearly costs of providing school transport for young people with SEND could reach £3.4bn by 2030/31.⁴³

In June 2025, the government announced that it would “[introduce a bespoke formula to recognise Home to School transport costs](#).”⁴⁴

The chart below shows net expenditure by local authorities on transport for pupils with special educational needs/learners with learning difficulties and disabilities (SEN/LLDD) in England, as reported under [section 251 of the Apprenticeships, Skills, Children and Learning Act 2009](#). This increased by an average of 9.5% each year between 2015/16 and 2024/25, a total of 126.7% over that period.

³⁹ National Audit Office, [Home to School Transport](#), October 2025, p4

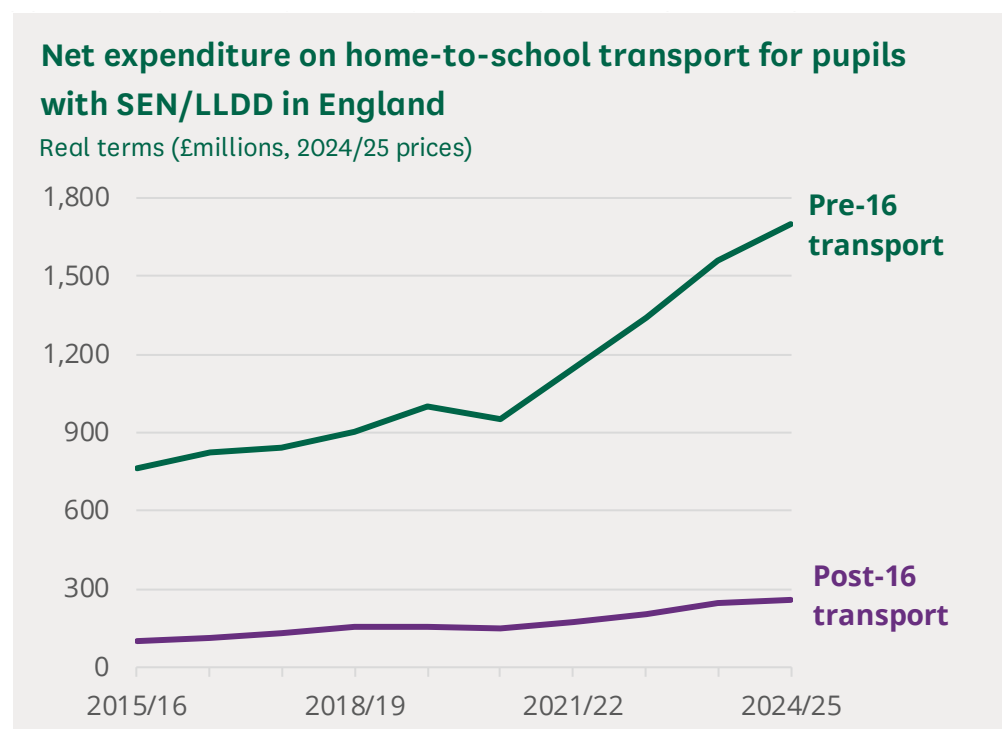
⁴⁰ National Audit Office, [Home to School Transport](#), October 2025, p8

⁴¹ Local Government Association, [Council spending on SEND home to school transport soars – new LGA research](#), 2 July 2025

⁴² As above

⁴³ County Councils Network, [Schools White Paper cannot ignore looming £3.4bn SEND transport bill, councils warn](#), 19 February 2026

⁴⁴ Ministry of Housing, Communities and Local Government, [Fairer funding for councils across the country in major reform](#), 20 June 2025



Source: Department for Education, [LA expenditure on schools, other education and community - unrounded data](#); HM Treasury, [GDP deflators](#)

2.4

Further reading

There have been a very large number of reports and articles published in recent years on the SEND system in England. This list does not aim to be comprehensive, but provides an introduction to many of the issues raised:

- Commons Library, [Special Educational Needs: support in England](#), December 2025
- Commons Education Committee, [Solving the SEND Crisis](#), September 2025
- Public Accounts Committee, [Support for children and young people with special educational needs](#), January 2025
- Institute for Fiscal Studies, [England's SEND crisis: costs, challenges and the case for reform](#), September 2025
- National Audit Office, [Support for children and young people with special educational needs](#), October 2024
- Local Government Association, [Reform of the SEND system](#), June 2025
- Education Policy Institute, [Annual Report 2025: Special educational needs and disabilities \(SEND\)](#), July 2025

3

2026 white paper and SEND reform

On 23 February 2026, the government published a white paper, [Every child achieving and thriving](#), outlining its plans for reforming schools and the special educational needs and disabilities (SEND) system.

A consultation on the SEND proposals, [SEND reform: putting children and young people first](#), was also published at the same time. The consultation is open until 18 May 2026.

3.1

Announcements prior to white paper publication

On 11 June 2025, as part of the [Spending Review](#), the government confirmed that its intended approach to SEND reform would be set out in a schools white paper in autumn 2025. It also confirmed that it was setting aside £760 million for SEND reform across 2026/27 and 2027/28. It said this would be taken from the Transformation Fund and would be to ensure SEND services were focused on prevention.⁴⁵

In October 2025, the Education Secretary wrote to the Education Committee to confirm that the [schools white paper would instead be published “early in the new year.”](#)

In December 2025, the [government announced a ‘national conversation’](#) of public engagement events ahead of the planned reform.⁴⁶

Also in December 2025, the government announced [£3 billion in funding, over four years](#), to create 50,000 places for children and young people with SEND in England. The government said this would “fund a landmark expansion of specialist, calm learning spaces within mainstream settings.”⁴⁷

The announcement also stated that the government would give local authorities the option of funding to provide specialist places through SEN units and resource provisions, expand existing specialist settings, or implement other adaptations. It said this was to get SEN provision in place for children and young people more quickly. It also drew attention to declining pupil numbers, and said that money saved by cancelling new school projects

⁴⁵ HM Treasury, [Spending Review 2025](#), CP 1336, June 2025, p16 & p60

⁴⁶ Department for Education, [Government launches national conversation on SEND](#), 2 December 2025

⁴⁷ [HC Deb 15 Dec 2025 c44=45WS](#)

in areas of surplus would be used to support the 50,000 new specialist places.⁴⁸

A January 2026 announcement from the Department for Education (DfE) provided [£200 million for developing new courses available to all teaching staff](#) on how to adapt teaching to meet a range of needs in the classroom.⁴⁹

3.2 White paper publication and SEND consultation

The schools white paper, [Every Child Achieving and Thriving](#), was published on 23 February 2026. As well as proposals for SEND reform, the white paper included a range of proposals relating to reform of the school system, the curriculum and the attainment levels of disadvantaged children.

Alongside the white paper, a consultation on the SEND proposals, [SEND reform: putting children and young people first](#), was also published. The consultation is open until 18 May 2026.

The government's announcement of the plans described the proposals as a ["radical expansion" of rights for children with SEND](#), with an investment of £4 billion to make school more inclusive and improve outcomes for children with SEND.^{50,51}

The DfE also published a series of [short information sheets on the proposals](#) aimed at different affected groups, including brief explainers for parents.

3.3 White paper proposals

Principles and overall aims

Pages 48 to 59 of the white paper, [Every Child Achieving and Thriving](#), provide an overview of the government's plans. More detail is provided in the consultation paper [SEND reform: putting children and young people first](#).

The white paper sets out the government's five 'principles for reform':

1. Early. Children and families should receive the support they need as soon as possible, with a quick response to changing needs. This will start to break the

⁴⁸ As above

⁴⁹ Department for Education, [£200 million landmark SEND teacher training programme](#), 16 January 2026

⁵⁰ Department for Education, [Radical expansion in rights for children with SEND](#), 23 February 2026

⁵¹ Department for Education, [Specialist SEND support in every school and community](#), 23 February 2026

cycle of needs going unmet and getting worse. Instead, we will intervene swiftly and proactively, focusing on providing support earlier in children's lives when this can have the greatest impact.

2. Local. Children and young people with SEND should be able to learn at an education setting close to their home, alongside their peers, rather than travelling long distances from their family and community. Specialist settings should continue to play a vital role supporting those with the most complex needs.

3. Fair. Every education setting should be resourced and able to meet common and predictable needs, including as they change over time, without parents having to fight to get support for their children. Where specialist provision is needed for children and young people, we will ensure it is there, whether that be a mainstream, specialist or Alternative Provision setting, with clear legal requirements and safeguards for children and parents.

4. Effective. Reforms should be grounded in evidence, ensuring all education settings know where to go to find effective practice that has excellent long-term outcomes for children and young people.

5. Shared. Education, health and care services should work in partnership with one another, Best Start Family Hubs, local government, families, teachers, educators, experts, the voluntary sector and representative bodies to deliver better experiences and outcomes for all our children and young people. The voices of children should be at the heart of decision making.⁵²

The paper is clear that the proposals aim to create a system where “more children can be educated in a local mainstream school, as part of their local community, with flexible, timely, and accessible support.”⁵³ It further states that the government's aims involve “integrating the SEND system within the mainstream system, so that support can be provided earlier.”⁵⁴

The white paper's policy commitments are outlined under the subheadings below.

Early intervention and inclusion

The white paper commits to:

- Strengthening the law to require evidence-based early help to be provided in mainstream settings.
- Funding more inclusion bases in mainstream settings.
- Over time, directing a larger share of education funding into mainstream settings, with the expectation that they will be more inclusive. Eventually, there will be established National Inclusion Standards.

⁵² Department for Education, [Every Child Achieving and Thriving](#), February 2026, CP 1508-1, p48

⁵³ As above

⁵⁴ As above, p49

Support structures and legal framework

The white paper commits to:

- Introducing a new tiered approach to SEN support: universal, targeted, targeted plus, and specialist. Children won't need an education, health and care plan (EHCP) to access support, up and including the targeted plus tier. New Individual Support Plans (ISPs) will be put in place for those receiving targeted and targeted plus support. EHCPs will remain for those with the most complex needs.
- Not changing support delivered through EHCPs until 2030, but children and young people will be reassessed as they approach the end of their current education phase, from September 2029.
- Introducing nationally defined Specialist Support Packages for those with the most complex needs.
- Updating the existing SEND code of practice.
- Changing the law to ensure local authorities only pay reasonable and fair costs to independent specialist providers.

Joined-up partnership working

The white paper commits to:

- Requiring specialist providers to do more outreach and support work with mainstream settings.
- Reducing reliance on the tribunal system and subjecting school complaints data to more scrutiny to identify possible poor practice on SEND.

Some areas of proposed change are discussed in more detail below.

Levels of support

The white paper proposes a significant reform of the existing system of SEN support within educational institutions, and EHCPs for children and young people with greater needs.

At base level, the white paper proposes an improved 'universal offer' within education for all, regardless of SEND. This means providing resources to schools so that :

commonly occurring needs that every school should be familiar with can be consistently met in mainstream education through adaptive teaching, calm environments, and enrichment opportunities.⁵⁵

⁵⁵ Department for Education, [Every Child Achieving and Thriving](#), p49

The DfE describes this as a “new baseline” for mainstream education settings, for ages 0 to 25.⁵⁶

For children and young people who require greater support, the following levels of support are proposed:

- Targeted: providing targeted support in their education setting, set out in an Individual Support Plan (ISP). This could include small group interventions to develop language skills, or pre-teaching key vocabulary to help access the curriculum.
- Targeted Plus: through which support from their setting will have input from education and health professionals, and may include access to a ‘Support Base’. This could involve time-limited support in an Alternative Provision (AP) or a specialist setting
- Specialist: where support is provided through an EHCP, whether in a mainstream or specialist setting. Support may also be provided through a Support Base at this level. Once reforms were completed, EHCPs would be provided only at this level of support.⁵⁷

These layers would be guided by the National Inclusion Standards, to be developed in the coming years to set out what these layers should look like in practice.

Individual Support Plans

The white paper proposals would require all schools and other educational settings to create digital Individual Support Plans for any child or young person with identified SEND.

The plans would be developed with parents and “capture barriers to learning, day-to-day provision, any reasonable adjustments and intended outcomes.”⁵⁸

The plans would be a statutory requirement, updated at least annually, to record and monitor special educational needs and provision for children and young people with SEND. They are intended to improve communication between educational institutions and families, and to help ensure consistency of provision.⁵⁹

Specialist support

The white paper identified access to specialist support as an important way to meet SEND need, and set out plans to:

⁵⁶ Department for Education, [SEND reform: putting children and young people first](#), February 2026, p24

⁵⁷ As above, p27-29

⁵⁸ Department for Education, [Every Child Achieving and Thriving](#), p53

⁵⁹ Department for Education, [SEND reform: putting children and young people first](#), February 2026, p46

- invest £1.8 billion over three years in support services to improve access to health professionals such as speech and language therapists and educational psychologists for children and young people in early years settings, schools and colleges
- invest over £40 million over three years to grow the educational psychology and speech and language therapy workforce

The improved funding for support services is intended to enable local authorities and [Integrated Care Boards](#) to create an ‘Experts at Hand’ offer. £1 billion would fund professionals to work directly with mainstream schools, with £800 million to build their capacity through expanding outreach from specialist and alternative provision settings.⁶⁰

Packages of specialist provision

The white paper says that specialist provision will be provided through “nationally defined, evidence-based packages of support for children and young people with the most complex needs.”⁶¹

The SEND consultation document provides more detail on what these packages of support would be and how they would be developed:

...working in development with a national panel of experts, and overseen by an independent chair, we propose introducing new Specialist Provision Packages. These Packages will be nationally defined and based on evidence setting out the interventions, resources and standards required to support children and young people with the most complex needs. EHCPs will guarantee statutory entitlements to the educational provision from the Specialist Provision Package that each child and young person needs, and their expected outcomes, alongside care provision and statutory entitlements to health provision. Detailed day-to-day educational provision will be set out in Individual Support Plans (ISP) developed at setting level.

[...]

We anticipate approximately seven Packages, some of which will map onto familiar descriptions of complex SEND but others which will support a group of children and young people with different, or no, diagnoses but requiring similar support.⁶²

The white paper anticipates that, as reforms are put into place, the number of children and young people needing a Specialist Provision Package, and by extension an EHCP, will return to current levels by 2035, with more children having their needs met in mainstream provision.⁶³

The changes proposed in the white paper require legislative change. The white paper states that after the new legislation is in force, children with an

⁶⁰ Department for Education, [Every Child Achieving and Thriving](#), p54

⁶¹ Department for Education, [Every Child Achieving and Thriving](#), p57

⁶² Department for Education, [SEND reform: putting children and young people first](#), February 2026, p63-64

⁶³ Department for Education, [Every Child Achieving and Thriving](#), p57

existing EHCP would have a needs assessment as they approach the end of each phase of education. The first cohort to transition to the new approach is planned to be pupils at the end of primary, secondary and post-16 in 2029/30, with assessments from September 2029 and moves to the new system from September 2030.⁶⁴

Funding changes

The white paper includes proposals for a new Inclusive Mainstream Fund, of £1.6 billion over three years from 2026/27, with the funding to be used by schools to develop their offers of support.

The proposals set out that schools would be required to publish an inclusion strategy outlining how resources are deployed to benefit children with SEND, and that they would be held accountable for how resources are used.⁶⁵

A revised SEND code of practice

The [SEND consultation](#) says that the statutory SEND code of practice will be updated:⁶⁶

- to clarify responsibilities for education settings and local partners
- with refreshed “areas of development” replacing the current ‘areas of need’
- to make the guidance easier to use and navigate

A consultation on the proposed changes to the code is planned to follow the response to the SEND consultation.

The proposed “areas of development” are:⁶⁷

- executive function
- motor and physical
- sensory
- speech
- language and communication
- social and emotional

⁶⁴ Department for Education, [Every Child Achieving and Thriving](#), p58

⁶⁵ Department for Education, [Every Child Achieving and Thriving](#), p55

⁶⁶ Department for Education, [SEND reform: putting children and young people first](#), February 2026, p30

⁶⁷ Department for Education, [SEND reform: putting children and young people first](#), February 2026, p32

Appendix D to the consultation provides more detailed information on each area.

Teaching

The white paper sets out that, from September 2026, all staff would be able to access new training across educational phases, supported by government-backed training materials.

The paper also says the updated SEND code of practice would require all schools to ensure their staff receive training on SEND and inclusion.⁶⁸

School collaboration

The white paper proposes that every school should be part of a local grouping to work together on SEND, with all schools to pool a minimum level of funding to support needs fairly across their group in time.⁶⁹

More inclusive schools

The white paper, as part of the overall aim for SEND support to be more integrated within the mainstream school system, highlights government funding for new school places:⁷⁰

- 10,000 more school and college places for children and young people with SEND, investing £740 million in 2025/26
- a further 50,000 new specialist places, including in inclusion bases, backed by £3 billion investment over the next four years

‘Inclusion bases’ are intended to replace the current terms ‘SEN unit’, ‘resourced provision’ and ‘pupil support unit’, and take the form of:⁷¹

- Support Bases (setting/multi-academy trust funded, providing targeted support)
- Specialist Bases (local authority funded, providing specialist support)

The white paper also notes that Ofsted is now grading inclusion as part of its inspections, as set out in the [Education Inspection Framework](#).⁷²

⁶⁸ Department for Education, [Every Child Achieving and Thriving](#), p52

⁶⁹ Department for Education, [Every Child Achieving and Thriving](#), p56

⁷⁰ Department for Education, [Every Child Achieving and Thriving](#), p58

⁷¹ Department for Education, [SEND reform: putting children and young people first](#), February 2026, p54

⁷² Ofsted, [Education Inspection Framework](#), September 2025

Independent special schools

The white paper includes the government's intention to change the law on independent special schools (ISS) "to ensure that children get suitable high-quality placements and that local authorities pay a reasonable price for them."⁷³

The consultation document draws attention to the high costs often associated with placements in ISSs:

A number of ISSs are owned by private companies, including private equity firms, with considerable overlap with providers of children's social care placements. Placements in the ISS sector are almost entirely state-funded and far more expensive than in state special schools (average unit costs per year in ISSs in 2024-25 were £62k vs £24k in state special), and we are concerned about evidence of some unreasonably high fees and the involvement of private companies seeking to make excessive profits.⁷⁴

The consultation further sets out that this planned legislation would make wider changes relating to ISSs, including creating a statutory definition and, via a separate consultation, standards for ISS, and requiring ISS to offer placements based on Specialist Provision Packages and in accordance with national funding bands, and also to adhere to the SEND code of practice.⁷⁵

Mediation

Mediation is a means of trying to resolve disagreements about decisions relating to EHC needs assessments and EHCPs.

Currently, parents or young people must consider mediation before appealing to the SEND tribunal for most issues, but not where the dispute only concerns the placement in an EHCP (or is about disability discrimination). There is no requirement to go through with mediation before exercising appeal rights.

The DfE consultation proposes more use of mediation, and better complaints resolution procedures to resolve issues faster.

Children's Commissioner: Oversight role for reforms

The reform's proposals include a new remit for the Children's Commissioner to provide oversight and scrutiny of SEND reform implementation.

⁷³ Department for Education, [Every Child Achieving and Thriving](#), p58

⁷⁴ Department for Education, [SEND reform: putting children and young people first](#), February 2026, p80

⁷⁵ Department for Education, [SEND reform: putting children and young people first](#), February 2026, p80-81

This would include a particular focus on children in care, children in need, children not in school (including those who have been excluded), intersectionality and those facing multiple disadvantages.⁷⁶

Transition to the new system and timescales

The white paper envisages a phased implementation of its proposed reforms, both in SEND and more widely.

The SEND reforms would require legislative change. The consultation says that this is not expected to come into effect until September 2029. Until then, the current system would remain in place.⁷⁷ No changes to support received through EHCPs would take place before at least September 2030.⁷⁸

The consultation is also clear that children with EHCPs prior to September 2029 will keep them throughout their existing phase of education:

Any child with an EHCP (or any who has been assessed as needing one) in a mainstream setting as of the legislation's commencement date will retain their EHCP and associated provision until they finish their current phase of education (primary, secondary, post-16) or until they choose to move to the new system. Children with an EHCP in the early years will retain their EHCP and associated provision until they finish the primary phase, when it will be reviewed.⁷⁹

The consultation sets out the government's expectation that the number of children and young people needing a Specialist Provision Package – and an EHCP – will rise in the shorter term but return to around today's level by 2035.⁸⁰

⁷⁶ Department for Education, [SEND reform: putting children and young people first](#), February 2026, p109

⁷⁷ Department for Education, [SEND reform: putting children and young people first](#), February 2026, p72

⁷⁸ Department for Education, [SEND reform: putting children and young people first](#), February 2026, p115

⁷⁹ Department for Education, [SEND reform: putting children and young people first](#), February 2026, p72

⁸⁰ Department for Education, [SEND reform: putting children and young people first](#), February 2026, p67

4 Reaction

This section provides an introduction to the reaction to the publication of the SEND proposals inside and outside of Westminster. It draws attention to some areas that have received particular attention,

4.1 Debate in the House of Commons

Government position

The Education Secretary, Bridget Phillipson, made a statement to the House on 23 February 2026 introducing the white paper, and said that it was “[about improving support, not removing support](#)” for children and young people with SEND, and that “there will be more support like an EHCP [education, health and care plans] available without the fight for an EHCP.”⁸¹⁸²

Opposition views

The Shadow Education Secretary, Laura Trott, responded that many of the most important provisions in the reforms remained vague, and that “we do not know exactly how children will qualify for an EHCP in the future, and no clear eligibility criteria for the so-called specialist provision are set out” and raised concerns about how the details of funding for schools and local authorities will work in future.⁸³

The Leader of the Liberal Democrats, Sir Ed Davey, expressed doubts that the reforms were sufficiently radical, and that “the range and complexity of needs and disability can be captured in a small number of predefined EHCP packages.”⁸⁴

Adrian Ramsey (Green) expressed concern that “there is not currently enough capacity in alternative provision for young people for whom mainstream school is not working.”⁸⁵

⁸¹ [HC Deb 23 Feb 2026 c53](#)

⁸² [HC Deb 23 Feb 2026 c60](#)

⁸³ [HC Deb 23 Feb 2026 c54](#)

⁸⁴ [HC Deb 23 Feb 2026 c58](#)

⁸⁵ [HC Deb 23 Feb 2026 c72](#)

Richard Tice (Reform) raised the “excessive fees and profits of private equity-owned specialist schools” and asked whether related legislation could be “accelerated to reduce the pressure on council budgets.”⁸⁶

4.2 Reactions outside Parliament

General reaction

The Local Government Association welcomed the proposals to integrate the SEND system within mainstream education, and the plans to improve local strategic partnerships.⁸⁷

The Institute for Government identified collaborative working between educational institutions, health bodies, and local authorities as one of the most challenging aspects of the planned reforms, “with major mismatches between what organisations believe they are supposed to do, the incentives and resources they have to do those things, and how they’re held to account for doing them.”⁸⁸

The Education Policy Institute (EPI) was pleased with the introduction of ‘Experts at Hand’ to give schools better access to specialist support, and with the introduction of individual support plans to aid transparency. However, it said that parents “will need reassurance that tiered support and EHCP reforms do not simply become a new set of hoops to jump through.”⁸⁹

The National Governance Association (NGA) welcomed investment in schools, and said the government had to ensure that the [concerns of parents of children with EHCPs](#) would need to be reassured as the government moved to implementation.⁹⁰

The [National Education Union](#) (NEU) welcomed the announcement of additional resources for inclusion in mainstream schools, but said the funds were too small.⁹¹

Disability Rights UK said that the [additional funding in the white paper was insufficient](#), that it was concerned about the changes to EHCPs and potential limited access to support, and that “the law isn’t the current issue with SEND

⁸⁶ [HC Deb 23 Feb 2026 c74](#)

⁸⁷ Local Government Association, [Schools White Paper, Every child achieving and thriving – LGA briefing](#), 25 February 2026

⁸⁸ Institute for Government, [How can the government join up the delivery of its SEND reforms?](#), 26 February 2026

⁸⁹ Education Policy Institute, [EPI response: schools white paper](#), 23 February 2026

⁹⁰ NGA, [NGA comments on the schools white paper and SEND reform](#), 23 February 2026

⁹¹ National Education Union, [NEU Comment on Schools White Paper](#), 23 February 2026

provision; the problem is a lack of accountability for those who don't meet their obligations.”⁹²

The [British Dyslexia Association welcomed the focus on inclusion](#) in mainstream classrooms, and the focus on training and upskilling classroom teachers. It added that there was still a need for a national dyslexia strategy to ensure consistent early identification, evidence-based support and accountability.⁹³

Reactions to changes to the legal framework: EHCPs, Individual Support Plans and tribunal powers

Specialist SEND charity IPSEA is preparing a full response to the consultation document, but in the meantime, says it is concerned about a potential weakening of legal rights. It cites:

- major uncertainties around eligibility for and support under EHCPs in the future, and concerns about how they would be enforced and amended
- concerns about:
 - Individual Support Plans, which marked a “significant change” and appeared to give parents minimal rights about their content and creation
 - school and college placement rights appearing to be “fundamentally changed and weakened”, and the removal of Tribunal powers to order suitable placements
 - planned changes to the matters appealable to the Tribunal, and “fundamental” changes to the order-making powers of the Tribunal

Similarly, the CEO of SOS!SEN (another SEND specialist charity), Richard Orchard-Rowe, said his organisation was concerned for families and children:

This white paper claims to go towards improving the education system. We fear that it is finding a back door into removing the legal rights of the children and young people.⁹⁴

The journal Special Needs Jungle identified what it saw as [an erosion of rights](#) in, for example, the change to local authorities providing parents with a list of recommended settings capable of providing their child's Specialist Provision Package, rather than enabling parents to request any suitable school. It added that eligibility rules, rather than individual needs, would decide who received legally enforceable support:

⁹² Disability Rights UK, [DR UK's response to the Schools White Paper](#), 24 February 2026

⁹³ British Dyslexia Association, [Our response to the proposed SEND reforms](#), 23 February 2026

⁹⁴ Richard Orchard-Rowe, quoted in Special Needs Jungle, [The SEND reforms in the Schools White Paper reveal rights given, and rights stripped away](#), 23 February 2026

EHCPs will continue, but they are tied to (nationally defined) Specialist Provision Packages. Eligibility rules and definitions are going to be the key decider as to who gets legally enforceable support, not individual needs.

More widely, Special Needs Jungle said the proposals ran contrary to previous attempts to move away from a multi-layered, bureaucratic system, and instead provided “even more tiers and still no real accountability.”⁹⁵

Reactions from the SEND workforce

The [Association of Educational Psychologists welcomed the white paper](#). It said it particularly welcomed the recognition of the role of specialists, and the “continued commitment to growing the EP [educational psychologist] workforce by committing to the training of more EPs in England”.⁹⁶

The [Royal College of Speech and Language Therapists welcomed the focus on inclusive education](#), the ‘Experts at Hand’ proposals, and the requirements around joint commission for this service. However, it said there was a limit to what the Department for Education could achieve alone, and urged the Department of Health and Social Care (DHSC) to address recruitment challenges in its upcoming 10 Year Workforce Plan.⁹⁷

The [Local Government Association \(LGA\) welcomed the white paper’s focus on the early years](#), and ensuring the workforce in this sector had the right skills. On funding for early years and specialist staff as part of ‘Experts at Hand’, the LGA said that it welcomed the £1.8 billion promised, but that it would wait for further details on how the funding would be allocated to local authorities and Integrated Care Boards. It also sought confirmation that the funding is really new, and cautioned that Experts at Hand could increase expectations of available help, which would in reality take time to embed.⁹⁸

Independent special schools

The LGA welcomed the white paper proposals on ensuring quality and value for money in independent special school placements.⁹⁹

Reacting to the plans, foreshadowed in an earlier announcement on 20 February 2026, the disabled children’s charity Contact welcomed “the government’s commitment to making sure profits are not put before children’s education”. However, it cautioned that independent special

⁹⁵ Special Needs Jungle, [The SEND reforms in the Schools White Paper reveal rights given, and rights stripped away](#), 24 February 2026

⁹⁶ Association of Educational Psychologists, [Every Child Achieving and Thriving - Government publishes Schools White Paper](#), 23 February 2026

⁹⁷ Royal College of Speech and Language Therapists, [RCSLT welcomes ambitious plans for SEND reforms but calls for urgent action on workforce](#), 24 February 2026

⁹⁸ Local Government Association, [Schools White Paper, Every child achieving and thriving - LGA briefing](#), 25 February 2026

⁹⁹ Local Government Association, [Schools White Paper, Every child achieving and thriving - LGA briefing](#), 25 February 2026

schools often served children and young people with complex health and educational needs, arguing that they “currently fill critical gaps where local provision does not exist.”¹⁰⁰

The [National Association of Special Schools \(NASS\)](#) was critical of the measures in the white paper, saying schools and families would be left “anxious about whether special schools will be able to afford to provide the support that they know is transformative for children”. It also described the powers to restrict the opening of new independent special schools as “particularly concerning”, arguing the sector was the only one to be able to rapidly create new places without any upfront capital risk to local authorities. NASS also criticised a lack of engagement with the sector, and said policy formulation based on “hearsay and opinion” was unsound.¹⁰¹

¹⁰⁰ Contact, [Government announces end to runaway independent special school fees](#), 20 February 2026

¹⁰¹ National Association of Special Schools, [NASS warns SEND reforms erode rights and let costs dictate](#), 23 February 2026

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