

## **Nuffield Foundation response to Education Select Committee inquiry – Solving the SEND crisis**

The Nuffield Foundation is a charitable trust. We fund rigorous research that seeks to open up opportunities and improve lives for individuals, families and communities within a just and inclusive society. Our work addresses the inequalities, disadvantage, discrimination and vulnerabilities people face in education, justice and welfare. We span the breadth of the education portfolio from early years, through school, to further and higher education, and skills and training. We believe that much of the research we fund can inform the Government's ambitions to realise opportunity through education.

We have funded a significant amount of research relating to SEND provision, which examines the various challenges in the system, and the solutions which can help children get the support they need to succeed. The system is clearly facing significant challenges, and any attempt to address the crisis will need to take a holistic and integrated approach, and be guided by a long-term strategy.

Our response below highlights the specific points raised in our funded research, summarised under the headings provided in the inquiry.

### Support for children and young people with SEND

Workforce challenges are contributing significantly to the SEND crisis. Schools are struggling to recruit staff at a time when the proportion of high-needs children continues to increase, placing greater pressure on school staff. We funded [research from the National Foundation for Education Research \(NFER\)](#) into the impact of the cost of living crisis on schools. It found that cost of living increases have amplified the scale of well-being, mental health, welfare and financial challenges for pupils, particularly in special schools. School staff are having to meet these increased needs without the capacity to do so, which seems to be worsening recruitment and retention challenges. Children with SEND can benefit from the provision of services such as hydrotherapy, physiotherapy, and independence and life skills activities, but these cannot be provided when special schools' struggle to recruit and retain Teaching Assistants and support staff. These staff are key to supporting pupils with SEND in mainstream schools, so vacancies particularly impact high-needs children. The research found that half of schools are struggling to recruit teachers with the specialist skills and experience required to meet pupils' needs – with this figure rising to three quarters for teaching assistants.

We funded [another project from the NFER](#) which used DfE data to analyse the key trends affecting teacher supply shortages in England. They found some positive progress, with action to attract international trainees, slight improvements to bursaries, and an increase in flexible working appearing to have some success. But the overall findings point to a teacher supply crisis which represents a substantial risk to the quality of education in our schools. Workload is cited by 94% of teachers as a reason for considering leaving the profession, with the significant decline in the competitiveness of teacher's pay since the pandemic another key factor.

The NFER projects include these recommendations for how to address the recruitment and retention crisis in schools:

- 1) An independent review on reducing teacher workload, particularly focusing on the role of support for special needs and mental health.
- 2) Narrowing the gap between teacher pay growth and the wider labour market - with teacher pay awards which exceed the average rise in earnings. Funding this will require a long-term strategy for pay setting which ensures that schools don't have to make cuts elsewhere to fund higher salaries.
- 3) A refreshed teacher recruitment and retention strategy, alongside a wider strategy which also focuses on teaching assistants and support staff.

Aside from workforce challenges, the question of what type of intervention can most effectively support children with SEND is a critical one. We funded a [UCL Institute of Education project](#) which looks into existing evidence on targeted interventions provided for children with SEND, and which of these are the most effective. The data indicated that targeted interventions deliver an average of five months of additional progress for children with SEND, but the strength of evidence varied depending on the type of SEND, and the types of intervention. While teachers often tracked the outcomes of interventions they used with their children, this data was stored locally and inconsistently. The study calls for the Government to collect and store data on SEND interventions in a national database, which would enable researchers to advance understanding of effective educational practices to best support children with SEND.

#### Current and Future Model of SEND provision

A significant challenge for the current model of SEND provision is the wide variance in the number of children with SEND in different schools. [Research from FFT Education Datalab in 2022](#) showed that while 2.5% of 11 year olds have Education Health and Care Plans (EHCPs) on average, 276 schools had no pupils with an EHCP and 400 schools had at least double the national rate.

We funded [research from the Education Policy Institute \(EPI\)](#) into how fairly and effectively SEND is identified in England. The research found a postcode lottery, with which primary school a child attends making more difference to their chances of being identified with SEND than any of the child's personal characteristics or experiences.

While the reasons for this disparity are complex, the dominance of school effects in explaining which children are most likely to be identified with SEND points to inconsistent assessment being a significant factor. It is unlikely to be the only factor though. Parental choice may also explain part of the disparity, since parents of children with SEND may proactively choose to send their children to schools that they perceive to be inclusive with good provision for special educational needs. In addition, [Nuffield-funded research from University College London](#) found that free schools have 3.4% fewer pupils with SEND on average than other schools. This suggests that a school's selection practices can also distort the number of children with SEND in different schools. More generally, the same research found that areas with mainstream primary free-schools experienced an increase in social segregation, and recommended that the Government prohibits socially selective practices, where particular students and their parents are encouraged not to apply to a school.

The full picture on why identification of SEND varies so much by school is still unclear. We have therefore recently funded [research from the National Foundation for Educational Research](#) to further investigate this issue, but it is too early to report any findings.

Whatever the cause of these disparities, they present a significant challenge to the schools who have so many more pupils with SEND, as they unsurprisingly struggle to provide appropriate support to this cohort. The EPI's research makes these recommendations to encourage more consistent assessment of children with SEND, and better allocation of existing resources:

- 1) A framework of national expectations which defines what kinds of adjustment and support mainstream schools should make for pupils with SEND.
- 2) Rationalising high needs funding across local authorities according to the plausible risk factors for SEND identified through the EPI's research. These factors include, for example, children's results in the Early Years Foundation Stage Profile.
- 3) Separating the needs assessment function of local authorities from their role as a budget holder and provider of last resort for SEND support, as the incentives attached to these functions clearly conflict.
- 4) Specialist SEND training for all current and prospective school leaders.
- 5) Better access to educational psychologists to reduce the reliance on teachers to disentangle complex SEND needs.
- 6) Greater use of age-standardised assessments where appropriate instruments exist to increase consistency.
- 7) Evaluating the use of smaller class sizes in reception, as this may result in fewer children being identified with lower-level SEND in the future, and better identification of children with greater needs.

### Finance, Funding and Capacity of SEND provision

We funded [research from the Institute for Fiscal Studies](#) into spending on SEND. Their report, published in December 2024, cast a stark light on the scale of the problem.

The increase in children being identified with SEND has placed unprecedented pressure on the current system. The number of pupils with Education Health and Care Plans (EHCPs) has increased by 71% between 2018 and 2024, with 5% of pupils now having an EHCP. While the reasons behind this increase are complex, it is clear that this will become increasingly unmanageable for local authorities without meaningful reform.

Central Government funding for high-needs children grew by 59% between 2015/16 and 2024/25, accounting for half of the total real-terms rise in school funding over the same period. But this substantial funding increase has not been enough to keep pace with the increase in pupils with EHCPs, meaning that per-EHCP funding has fallen by a third in real terms during this period. The budget deficits faced by local authorities on high-needs spending were estimated as at least £3.3billion in total this year, with the statutory override being the only way many local authorities have staved off bankruptcy.

The IFS sets out a range of possible options to address this crisis, all of which it acknowledges are costly and challenging:

1. To continue with the current system of pupil-led top-up funding for EHCPs. On current forecasts, annual spending on this will increase by at least £2-3 billion by 2027, which would lead to widespread local authority bankruptcies in the absence of the statutory override.
2. To continue with the Safety Valve programme's approach of providing extra grants to local authorities with the largest high-needs deficits, on the condition that they reduce

costs. While the programme has had some financial success, with 22 of the 33 local authorities with the highest deficits on course to deliver expected savings, it is hard to believe that cost-saving measures are a major element of the solution – given that the problem has been driven by a vast rise in numbers.

3. To remove statutory obligations attached to EHCPs, so that schools and local authorities only have to do the best they can to deliver provisions attached to them, and ration scarce resources. This is clearly financially attractive, and removing these legal obligations may allow local authorities to meet rising need in a more efficient and equitable way. But the lack of trust which parents have in the system to meet their children's needs without EHCPs would present a major barrier, and removing statutory obligations alone wouldn't address underlying problems of schools struggling to meet pupils' needs.
4. To provide further services in early years – such as educational psychology, speech and language therapy and mental health support – with the aim of preventing problems from becoming more costly and severe in the future. While there may be benefits of this for children's welfare, and some potential for reduced future need, it is uncertain how much of the increase in SEND numbers could avoided or reduced in cost by earlier intervention.
5. To increase capacity in the state-funded specialist sector. This is a costly and slow process, but will almost certainly be needed to some extent, given that many special schools are over capacity, and local authorities are having to fund more expensive provision in the independent sector. The specialist sector has only accounted for 1.4% of pupils traditionally, and if this is to significantly increase in-line with the increase in children with SEND, the Government will need to decide how to ensure that this expansion is done consistently and targets the right children.
6. To deliver more support within mainstream schools. This would require schools to offer core provision for pupils with a range of types of SEND, without affecting existing provision, and with extra staff with the skills and time required to deal with challenging behaviours. This could be particularly challenging for smaller schools, given the volatility of the needs and costs which they would face. This option would require a flexible funding system based on more objective measures of need across schools and local authorities, and which may include transferring more money to schools as core funding rather than top-up funding. It would require the Government to provide both extra investment spending and extra day-to-day spending on SEND.

While the IFS doesn't name one of these options as their preference, they are clear that cost-cutting is unlikely to be at the core of the solution. Options such as 2 and 3 which focus on reallocating existing resource and trying to save money are unlikely to resolve the problem alone given rising levels of need. It is also clear that the status quo (option 1) is not a long-term solution, as many more Local Authorities would be facing bankruptcy in this circumstance. It seems that any long-term solution would need to include increased capacity in either the state-funded specialist sector, in mainstream schools, or in both, so that schools have the resources to address the increase in children with SEND.

The IFS highlights the need for a clear long-term vision, and suggest that local trials may be the only way to begin such a costly and challenging set of reforms.

#### Accountability and Inspection of SEND Provision

SEND support suffers from a lack of accountability, particularly for families who aren't willing or able to access the tribunal system. The [research from the Education Policy Institute](#) referenced above gives recommendations to improve accountability, alongside a framework of national expectations for SEND adjustments in mainstream schools. They recommend:

- 1) That school inspections gather evidence of compliance with any new framework of national expectations regarding SEND.
- 2) That school accountability for academic progress is informed by the level of risk factors for SEND identified in their intake.

Nuffield-funded [research from Professor Lee Elliot-Major](#) analysed how the inequalities in education and employment driven by the pandemic may impact children's future prospects. Part of this research looked at the impact of the current Ofsted inspection system on children facing extra barriers to learning (which includes children with SEND). Current guidance in England states that a school should be achieving for 'all its pupils, including the most disadvantaged pupils'. But in reality, the research argues that inspections don't put sufficient emphasis on how inclusive schools are, and the work they do to serve children who face extra barriers to learning. In the absence of this, schools are disincentivised from encouraging children with SEND to enrol, lest they perform less well in Ofsted inspections as a result. When one-word Ofsted judgements were still in use, a lower proportion of schools serving disadvantaged communities achieved an 'outstanding' rating, despite many such schools excelling at improving the progress of high-needs children. While on the flipside, many high-rated schools still have wide achievement gaps between more advantaged and disadvantaged children, and addressing these gaps is not prioritised through the current Ofsted system. Rebalancing Ofsted inspections so that schools receive more credit for being inclusive and working well with high-needs children would challenge schools to put a greater emphasis on maintaining high expectations for all pupils, while taking contextual factors into account. It is therefore welcome that Ofsted's plans for reform to include an [emphasis on inclusion](#).

### Conclusion and further research

This submission includes the most relevant findings from our funded research into solving the SEND crisis.

There are many further Nuffield-funded projects relating to this issue which are currently underway, but which have not yet reported any findings. These include:

- 1) [Research from the National Foundation for Educational Research](#) into the uneven distribution of pupils with SEND across mainstream schools in England.
- 2) [Research from FFT Education Datalab](#) into the impact of different approaches to removing disruptive pupils from schools.
- 3) [Research from the University of Manchester](#) into the faults identified by the Local Government and Social Care Ombudsman regarding SEND-related complaints.
- 4) [Research from the UCL Institute of Education](#) into the efficacy of exam access arrangements for students with Specific Learning Difficulties.
- 5) [Research from the UCL Institute of Education](#) examining policies regulating SEND provision in different countries.
- 6) [Research from Oxford Brookes University, York University and the Education Policy Institute](#) into rethinking special educational needs and mental health difficulties to improve identification and support.

We are happy to discuss any of the evidence, findings or recommendations outlined in this submission, and to answer any questions.

**Nuffield Foundation**