



Department
for Education

Special Educational Needs and Disabilities Reform

Child's rights impact assessment

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Introduction

This Child's Rights Impact Assessment (CRIA) sets out the Department for Education's (DfE) consideration of how the proposed reforms in the SEND consultation document align with the principles of the United Nations Convention on the Rights of the Child (UNCRC). The purpose of this assessment is to ensure that the best interests of children and young people are considered throughout the design, development and implementation of the proposed policy changes, and that these reforms uphold and advance children's rights.

The special educational needs and disabilities (SEND) reforms aim to improve outcomes for children with SEND by creating a more inclusive, consistent and high-quality education system that meets the needs of all children. This CRIA assesses the anticipated impact of each policy measure against the relevant UNCRC articles, identifying positive impacts, potential risks, and any mitigation strategies. It also highlights how the proposals support key rights, including non-discrimination, access to education, participation, and children's development.

DfE are consulting on our proposals, these assessments are provisional and make estimates and assumptions throughout on the basis of the available evidence at the time of publication. Assessments are subject to future revision. This assessment is therefore informed by the best available evidence at the current stage of policy development. However, for some proposals—particularly those involving systemwide reform, new delivery models, or changes to established processes—there remain evidence gaps and areas of uncertainty regarding implementation, behavioural response and longer-term impacts on children, young people and families. These uncertainties are acknowledged throughout the assessment. DfE is committed to strengthening the evidence base over time and will seek further related evidence through the public consultation and ongoing engagement with stakeholders, including children and young people and parents and carers. Public consultation will play a critical role in testing assumptions, identifying any unintended impacts and refining proposals. Any emerging evidence will be considered as policies are developed and implemented and will inform future updates to this CRIA.

The assessment reflects current policy intentions and will be updated as proposals are refined through consultation, piloting, parliamentary scrutiny and legislative processes. DfE's objective is to ensure that every child and young person—regardless of background or level of need—can achieve and thrive in an education system that respects, protects and promotes their rights.

Screening

The UK government has made a public commitment to give due consideration to the UNCRC when making new policy or legislation. While there is no statutory obligation to

undertake a CRIA, this process supports the systematic consideration of children's rights and the potential impacts of policy decisions on children and young people.

The following questions were used to determine the relevance and scope of this assessment:

- Will aspects of the policy or legislation affect children up to the age of 18, either directly or indirectly?
- Are there particular groups of children and young people who are more likely to be affected than others?

Assessing impact

A CRIA has been undertaken for each policy measure included in the SEND consultation document. This document summarises the findings of those assessments. Only UNCRC articles relevant to each policy measure have been assessed. Where an article is not referenced, it has been considered not relevant for the purposes of that analysis.

A list of the UNCRC articles and short titles is set out below for reference.

- Article 1 (definition of the child)
- Article 2 (non-discrimination)
- Article 3 (best interests of the child)
- Article 4 (implementation of the Convention)
- Article 5 (parental guidance and a child's evolving capacities)
- Article 6 (life, survival and development)
- Article 7 (birth registration, name, nationality, care)
- Article 8 (protection and preservation of identity)
- Article 9 (separation from parents)
- Article 10 (family reunification)
- Article 11 (abduction and non-return of children)
- Article 12 (respect for the views of the child)
- Article 13 (freedom of expression)
- Article 14 (freedom of thought, belief and religion)
- Article 15 (freedom of association)
- Article 16 (right to privacy)
- Article 17 (access to information from the media)
- Article 18 (parental responsibilities and state assistance)
- Article 19 (protection from violence, abuse and neglect)
- Article 20 (children unable to live with their family)
- Article 21 (adoption)
- Article 22 (refugee children)

- Article 23 (children with a disability)
- Article 24 (health and health services)
- Article 25 (review of treatment in care)
- Article 26 (social security)
- Article 27 (adequate standard of living)
- Article 28 (right to education)
- Article 29 (goals of education)
- Article 30 (children from minority or indigenous groups)
- Article 31 (leisure, play and culture)
- Article 32 (child labour)
- Article 33 (drug abuse)
- Article 34 (sexual exploitation)
- Article 35 (abduction, sale and trafficking)
- Article 36 (other forms of exploitation)
- Article 37 (inhumane treatment and detention)
- Article 38 (war and armed conflicts)
- Article 39 (recovery from trauma and reintegration)
- Article 40 (juvenile justice)
- Article 41 (respect for higher national standards)
- Article 42 (knowledge of rights)

The Convention comprises 54 articles in total. Articles 43–54 relate to the measures that adults, institutions and governments must take to ensure the effective implementation of children’s rights.

In developing this CRIA, the following resources have been used:

- The United Nations Convention on the Rights of the Child (UNCRC) [articles](#);
- The relevant [Concluding Observations](#) on the UK from the UN Committee on the Rights of the Child.

The Optional Protocols to the UNCRC (of which the UK has signed up to [Optional Protocol 1](#) (involvement of children in armed conflict) and [Optional Protocol 2](#) (sale of children, child prostitution and child pornography)) do not apply to this assessment.

Concluding Observations by the UN Committee on the Rights of the Child, 2023

The policy measures contribute to addressing the following recommendations made by the UN Committee on the Rights of the Child in its 2023 Concluding Observations:

Concluding Observations on children with disabilities:

“40 (b) Reduce waiting times and strengthen the system for early detection and intervention, including for children with autism and developmental disorders, in order to

facilitate access for children with all types of disabilities to education, health care, social protection and support services;

40 (c) Strengthen support for the social integration and individual development of children with disabilities, including by providing capacity-building to professionals working with and for children on the rights and specific needs of children with disabilities and ensuring the access of such children to personal assistance, rehabilitation and assistive devices;

40 (d) Ensure the right of children with disabilities to be heard in all decisions that affect them.”

Concluding Observations on education:

“47 (b) Ensure inclusive education in mainstream schools for all children with disabilities, including by adapting curricula and training and assigning specialized teachers and professionals in integrated classes, so that children with disabilities and learning difficulties receive individual support and due attention.”

Other recommendations from the Concluding Observations:

Other recommendations broadly addressed or progressed by the policy measures include those relating to non-discrimination, the views of the child and education.

Monitoring impacts

The impacts of the SEND reforms on children’s rights will continue to be reviewed as policies are developed and implemented, including through engagement with children and young people. This CRIA will therefore be updated following public consultation and as proposals are refined. Where proposals require primary legislation, these will be subject to parliamentary scrutiny and associated engagement processes.

There will also be a new remit for the Children’s Commissioner to provide oversight and scrutiny of SEND reform implementation, with a particular focus on children in care, children in need, children not in school, including those who have been excluded, and those facing multiple disadvantages. The Children’s Commissioner will use their existing statutory powers on data and entry to report publicly at regular intervals on progress, including identifying, gaps, risks, and unintended consequences as well as areas of strength or good practice that DfE should build on.

Cumulative summary

Anticipated impacts across relevant articles

The tables below outline the key SEND consultation document policies and summarises their expected impact on the most relevant children’s rights articles from the 1989 United Nations Convention of the Rights of the Child (UNCRC).

Table 1: The universal offer

	Data and technology	Support for children and families in the earliest years of life	National Inclusion Standards	National training
Article 2	Positive	Positive	Positive	Positive
Article 3	Positive	Positive	Positive	Positive
Article 6	Positive	Positive	Positive	Positive
Article 12	Positive	Positive	Positive	Neutral
Article 18	Neutral	Positive	Positive	Positive
Article 23	Neutral	Neutral	Positive	Positive
Article 28	Positive	Positive	Positive	Positive
Article 29	Positive	Positive	Positive	Positive

Table 2: Targeted and targeted plus support

	Individual Support Plans	Inclusion Bases	Experts at Hand
Article 2	Positive	Positive	Positive
Article 3	Positive	Positive	Positive
Article 6	Positive	Positive	Positive
Article 12	Positive	Positive	Positive
Article 18	Positive	Neutral	Positive
Article 23	Positive	Neutral	Positive
Article 28	Positive	Neutral	Neutral
Article 29	Positive	Neutral	Positive

Table 3: Specialist support for those with complex needs

	Specialist Provision Packages	Education, Health and Care Plans	Parental preference	Independent special schools
Article 2	Positive	Positive	Neutral	Neutral
Article 3	Positive	Positive	Neutral	Positive
Article 6	Positive	Neutral	Neutral	Positive
Article 12	Neutral	Neutral	Neutral	Neutral
Article 18	Neutral	Neutral	Neutral	Neutral
Article 23	Positive	Positive	Positive	Positive
Article 28	Positive	Positive	Positive	Positive
Article 29	Positive	Neutral	Positive	Positive

Table 4: Reforming the system to reward inclusion

	Funding reform	Accountability	Resolution and legal framework
Article 2	Positive	Positive	Neutral
Article 3	Positive	Positive	Positive
Article 6	Neutral	Positive	Neutral
Article 12	Neutral	Positive	Neutral
Article 18	Neutral	Neutral	Neutral
Article 23	Neutral	Positive	Positive
Article 28	Positive	Positive	Neutral
Article 29	Positive	Positive	Neutral

The universal offer

Data and technology

Policy context

DfE is exploring how data and technology can be used responsibly to improve support for children and young people with SEND. The policy measures set out in the SEND consultation document will be developed and tested before implementation. Measures under consideration include piloting assistive technology lending libraries, investing in tools that support earlier identification of need, and improving how information about SEND is recorded and shared.

Throughout the development of these measures, due regard will be given to data privacy, digital equity and the prevention of algorithmic bias or exclusion. Recognised risks associated with increased use of digital and artificial intelligence (AI) enabled tools, including excessive screen time, exposure to harmful content, and uneven access to technology, are being addressed through published safety frameworks, accessible and inclusive design standards, age-appropriate guidance, workforce training and engagement with children, young people and families. These safeguards will continue to be developed and refined as research progresses.

Article 2 (Non-discrimination)

Positive. The policy aims to reduce inequalities by ensuring that the benefits of technology are accessible to all children, regardless of background or protected characteristics. A national system for recording and sharing relevant SEND information is intended to improve consistency in access to support, while free training and assistive technology lending libraries will help address disparities in local resources.

Article 3 (Best interests of the child)

Positive. The reforms are intended to support children's best interests by improving the quality, timeliness and consistency of support. Evidence-based digital tools and assistive technologies can help children engage more effectively with learning, while safeguards and guidance on responsible use are designed to protect children from harm. Co-design with families, professionals and children supports solutions that reflect children's needs.

Article 5 (Parental guidance and evolving capacities)

Positive. Parents and carers will be supported through clear guidance on the safe and effective use of technology, helping them make informed decisions about their child's education. By addressing the risks associated with misleading or unregulated online diagnostic tools, the policy aims to support families in navigating an increasingly complex digital environment.

Article 6 (Life, survival and development)

Positive. Technology can play an important role in supporting children's development, particularly for those with SEND. Assistive technologies, such as communication devices, can enable children to participate more fully in learning and social interaction, while improved digital systems are intended to support continuity of provision across transitions.

Article 12 (Respect for the views of the child)

Positive. User-centred research and co-design processes are intended to ensure that children's views inform the development of digital solutions. Assistive technologies that enhance communication can also support children to express their views more effectively, strengthening participation in decisions about their education.

Article 13 (Freedom of expression)

Positive. By improving access to accessible and assistive digital technologies, the policy supports children's freedom of expression, particularly for those who rely on alternative or augmentative communication. Ensuring that such technologies are safe, evidence-based and widely available supports children's ability to communicate their needs, preferences and ideas.

Article 16 (Right to privacy)

Neutral. The development of a national digital system raises important considerations around data protection and privacy. The policy is intended to operate in line with UK General Data Protection Regulation (UK GDPR) requirements, with secure data handling and appropriate safeguards. A new data spine will support secure and streamlined connections between systems, with ongoing engagement with regulators and stakeholders to mitigate risks.

Article 17 (Access to information from the media)

Positive. The focus on high quality, well evaluated digital tools supports children and young people with SEND to access reliable information in ways that meet their individual needs. The emphasis on ethical and safe use of technology aims to ensure that children benefit from trustworthy digital resources while being protected from harm. This is intended to enable them to engage confidently with learning materials and wider information that supports their development.

Article 24 (Health and health services)

Positive. Over time, improved integration of education and health related SEND data is intended to support better coordination of care, enabling more joined up support for children's health and wellbeing. Guidance on responsible technology use also helps mitigate risks associated with unregulated digital tools.

Articles 28 (Right to education)

Positive. Assistive technology and improved digital systems are intended to reduce barriers to learning and support children with SEND to access education more effectively. Free training for educators aims to build confidence and capability in using technology to support inclusive practice.

Articles 29 (Goals of education)

Positive. By supporting inclusive and responsible use of technology, the policy aims to help children develop their talents, abilities and independence. Used appropriately, digital tools can support personalised approaches to learning and preparation for participation in a diverse society.

Summary

Overall, the policy is expected to have a positive impact on children's rights by supporting inclusion, improving access to education and safeguarding against harm in the use of technology. By embedding safety, transparency and evidence-based approaches, and by maintaining the central role of professional judgement, the policy aims to ensure that technology enhances, rather than undermines, children's rights.

Support for children and families in the earliest years of life

Policy context

Best Start Family Hubs are intended to break down barriers to opportunity by improving access to a wide range of health, education and family support services. The policy aims to strengthen early development support and ensure that families can access help at the right time, so that every child is given the best possible start in life.

The Giving Every Child the Best Start in Life publication set out the government's vision for rebuilding family services nationally. This includes providing high quality, joined-up support to parents and children from pregnancy through to age 5 and beyond, with additional support for families of children with SEND. We are investing over £200 million over 3 years to ensure every Best Start Family Hub has a dedicated offer for children with additional needs and their families, and a SEND practitioner to offer direct support to children and families. This is on top of the over £700 million already committed to Best Start Family Hubs and the Healthy Babies programme in Giving Every Child the Best Start in Life, in partnership with the Department for Health and Social Care.

Article 2 (Non-discrimination)

Positive. The policy aims to ensure that all children, regardless of background or need, can access integrated services. By providing a single access point and embedding inclusion from the start, hubs are intended to reduce disparities in access to support and promote greater consistency across local areas.

Article 3 (Best interests of the child)

Positive. Best Start Family Hubs are designed around the principle that early, coordinated support is in the best interests of children. Services will work together to meet needs promptly, reducing delays and preventing escalation.

Article 5 (Parental guidance and evolving capacities)

Positive. Hubs will provide guidance and evidence-based interventions for parents, helping them to support their child's development. This approach is intended to strengthen parental capacity while recognising children's evolving needs and abilities.

Article 6 (Life, survival and development)

Positive. Early identification and intervention through hubs will promote children's health, wellbeing, and development. Integrated checks, such as the 2–2½ year review, are intended to become more effective points for identifying needs and acting early to support positive long-term outcomes.

Article 12 (Respect for the views of the child)

Positive. Through co-production and integrated planning, hubs will ensure children's views are considered in decisions affecting them. This is particularly relevant during key early transitions and entry into early education settings.

Article 18 (Parental responsibilities and state assistance)

Positive. By providing accessible, joined up services, Best Start Family Hubs aim to support parents and carers in fulfilling their responsibilities and reduce the need to navigate multiple, fragmented systems.

Article 24 (Health and health services)

Positive. The integration of health, education and family support services within hubs is intended to improve access to health checks, advice and interventions, supporting a more holistic approach to children's health and development.

Article 26 (Social security)

Neutral. While Best Start Family Hubs do not directly provide financial support, they are expected to signpost families to relevant benefits and services, which may help reduce barriers to accessing existing entitlements.

Article 27 (Adequate standard of living)

Positive. By connecting families to local advice and support, the hubs may help address wider social and economic factors that affect children's wellbeing, contributing to improved living standards.

Articles 28 and Article 29 (Right to education and goals of education)

Positive. Early intervention and joined up support are intended to help children engage successfully with education and develop their abilities from an early age, supporting positive participation and readiness for future learning.

Summary

Overall, Best Start Family Hubs are expected to have a positive impact across a range of UNCRC articles by promoting inclusion, strengthening early intervention and improving access to coordinated services. Through integrated local support, the policy aims to ensure that children's best interests are addressed early, families are supported effectively and routes to additional or specialist support remain accessible.

National Inclusion Standards

Policy context

The National Inclusion Standards will set out expectations for good quality, ordinarily available provision across the 0 to 25 education system. It will support effective delivery of inclusive mainstream practice, promoting evidence-based approaches to identifying barriers to learning and meeting needs, across the layers of support. DfE will appoint an expert panel, with an independent chair, who will be responsible for developing and reviewing the National Inclusion Standards, improving the quality of evidence across the SEND system.

Article 2 (Non-discrimination)

Positive. The standards support equitable access to inclusive mainstream education for all children, regardless of background or need. By embedding inclusion into planning and practice, the standards aim to reduce discrimination and promote equality of opportunity. Clearer expectations and anticipatory provision are intended to help settings meet a diverse range of needs more consistently.

Article 3 (Best interests of the child)

Positive. Inclusive mainstream practice supports the best interests of children by enabling timely and appropriate support within local settings wherever possible. The standards aim to promote a culture in which children's wellbeing, development and learning are prioritised through proactive planning, early intervention and effective partnership working.

Article 6 (Life, survival and development)

Positive. Improved early identification and intervention are intended to support children's developmental outcomes over the longer term. Inclusive environments that respond effectively to individual needs can support children's academic progress, social development and emotional wellbeing, reducing risks of isolation or disengagement.

Article 12 (Respect for the views of the child)

Positive. The standards will encourage partnerships with families and pupils, underpinned by evidence-based approaches. Measures such as Individual Support Plans and review processes will help ensure children's voices are sought, heard and acted upon.

Article 18 (Parental responsibilities and state assistance)

Positive. By reducing reliance on diagnosis for access to support, the framework aims to enable earlier and more equitable access to help. This approach is intended to support

families at an earlier stage, while maintaining appropriate routes to specialist assessment and intervention where required.

Article 23 (Children with disabilities)

Positive. The standards strengthen support for children with disabilities by promoting consistent, needs-led provision within mainstream settings. Educational support will be informed by individual need rather than diagnosis alone, supported by clearer guidance on reasonable adjustments. Children who require medical, therapeutic or specialist interventions will continue to access these through Specialist Provision Packages.

Article 28 (Right to education)

Positive. The standards support the right to education by reducing barriers to participation in mainstream settings and improving access to high quality provision. Clear expectations and accountability mechanisms are intended to support children's sustained engagement and participation in education.

Article 29 (Goals of education)

Positive. By promoting inclusive environments and effective teaching strategies, the standards support the development of each child's personality, talents and abilities. It is intended to prepare children for participation in a diverse society and to promote respect, inclusion and equality of opportunity.

Summary

Overall, the policy demonstrates strong alignment with the UNCRC by promoting inclusive, equitable and needs-led support across mainstream education. By setting clearer expectations for inclusive practice, the standards strengthen non-discrimination and supports education settings to deliver more consistent, anticipatory provision that places children's best interests at the centre of decision making.

The standards' focus on early identification, whole setting approaches and graduated support is intended to improve children's development and long-term outcomes, while collaboration with families, children and young people and regular review processes support children's right to be heard. It also aims to support families through earlier access to help, while maintaining appropriate routes to specialist provision where required.

For children with disabilities, the standards reinforce the right to appropriate support within mainstream education through needs-led provision and clearer guidance on reasonable adjustments, while operating alongside Specialist Provision Packages to ensure access to specialist support where ordinarily available provision is not sufficient. In doing so, the standards advance the rights set out in relevant articles of the UNCRC.

National training

Policy context

DfE is spending £200 million over 3 years on an inclusion training package from September 2026. The programme will provide staff across early years, schools and post-16 settings with access to government funded training focused on inclusive practice and early identification of need.

Training will support adaptive teaching, calm and inclusive learning environments, early engagement with parents and carers, inclusive practice for teaching assistants, and improved accessibility within further education. This builds on existing reforms to initial teacher training, the early career framework and strengthened SEND content for early career teachers.

There will be a new requirement set out in the SEND Code of Practice for all settings to ensure that staff receive training on SEND and inclusion, and to clearly signpost government funded training. By embedding this expectation across early years, schools and colleges, staff will be upskilled to deliver inclusive practice. Leaders will retain flexibility to select training that fits their context, while guidance and signposting will support quality and consistency. DfE will also review the special educational needs coordinator (SENCO) role to reduce unnecessary bureaucracy and reinforce inclusion as a shared responsibility across the workforce.

Article 2 (Non-discrimination)

Positive. By embedding inclusive practice across workforce training and professional expectations, the policy aims to support all children, regardless of background or protected characteristics, to access education and appropriate support. Clearer expectations and accountability are intended to reduce disparities and promote greater fairness across settings.

Article 3 (Best interests of the child)

Positive. The policy promotes timely and appropriate support, with the aim of safeguarding children's wellbeing and development. Strengthening workforce capability supports decision making that reflects children's best interests and responds effectively to individual needs.

Article 6 (Right to life, survival and development)

Positive. Improved early identification and inclusive practice are intended to support children's development and longer-term outcomes. More inclusive learning environments can help children thrive academically, socially and emotionally.

Article 18 (Parental responsibilities and state assistance)

Positive. By improving professional understanding and communication, the policy supports stronger collaboration with parents and carers. The new inclusion training offer and reduced reliance on complex processes aim to make support easier to access and navigate.

Article 23 (Children with disabilities)

Positive. The policy strengthens inclusion for children with disabilities by promoting support that is responsive to individual needs rather than reliant on diagnosis alone. This approach is intended to improve consistency in reasonable adjustments, while ensuring that children who require specialist assessment or provision continue to access appropriate support through established packages.

Article 28 (Right to education) and Article 29 (Goals of education)

Positive. By reducing barriers to participation and strengthening inclusive, evidence informed teaching, the policy supports children's right to education and the development of their abilities. It aims to prepare children for participation in a diverse society and enable them to reach their full potential.

Summary

Overall, this policy demonstrates a positive impact by strengthening inclusive practice across the education workforce and supporting more consistent, needs-led provision. By investing in training, promoting early identification and reducing unnecessary barriers to support, the policy advances non-discrimination and places children's best interests at the centre of educational decision making.

For children with disabilities, it reinforces inclusive practice through clearer expectations, improved workforce capability and access to reasonable adjustments, while maintaining routes to specialist provision where required. By supporting collaboration with families and improving access to high quality education, the policy contributes to the realisation of children's rights under relevant articles of the UNCRC.

Targeted support

Individual Support Plans

Policy context

DfE will introduce a statutory duty for settings to record and monitor special educational needs and provision in an Individual Support Plan for children and young people with SEND. Individual Support Plans will be developed with parents and young people and will include details of identified needs, strategies to support pupils and outcomes that are expected from that support. Individual Support Plans will be standardised across the system to facilitate transitions between settings. They are also intended to act as a shared tool for settings, parents and carers, supporting clearer communication and regular discussion about a child's needs, the support in place and how this may change over time. This will also allow settings more flexibility to respond quickly and to update plans in response to children and young people's changing needs.

Individual Support Plans are designed to be dynamic and responsive to individual need rather than a static record created at a single point in time. By supporting ongoing dialogue between parents and settings, Individual Support Plans are intended to enable parents to engage more fully in decisions about their child's support. Subject to further development and testing, the intention is for Individual Support Plans to be supported by a standardised digital system to promote consistency, accuracy and ease of use across settings, while improving transparency and access for families.

A more consistent approach to recording support needs has the potential to promote greater equity by reducing unnecessary variation between settings. Clearer identification of need and improved communication across education providers may help improve fairness in access to support, provided Individual Support Plans are implemented with appropriate training, professional judgement and safeguards.

Article 2 (Non-discrimination)

Positive. The policy aims to support equitable access to support by ensuring that children's needs are identified, recorded and reviewed as soon as they emerge. The use of a standardised digital resource is intended to support consistent practice within and between settings, helping to reduce variability in support and access.

Article 3 (Best interest of the child)

Positive. Earlier identification and clearer recording of needs are intended to support more timely and appropriate provision. By enabling support to be adjusted as children's circumstances change, Individual Support Plans aim to promote children's wellbeing and development in line with their best interests.

Article 5 (Parental guidance and a child's evolving capacities)

Positive. The policy emphasises the importance of involving parents and carers in identifying and responding to children's needs. Individual Support Plans are intended to support clear and ongoing communication about the support in place, using live and accessible information as children's needs evolve. This approach supports settings to respond flexibly as children grow and mature. DfE will set a requirement for Individual Support Plans to be reviewed annually at a minimum, and settings will work with parents and young people to develop their Individual Support Plan from the start. The use and quality of Individual Support Plans will be assessed through Ofsted's inspections and assessment of SEND provision at a setting level.

Article 6 (Right to life, survival and development)

Positive. By supporting consistent recording and review of needs and provision, Individual Support Plans are intended to promote children's development, particularly for children with SEND, by ensuring that appropriate support is in place at the right time.

Article 12 (Respect for the views of the child)

Positive. Further policy development will be required, but Individual Support Plans are expected to support the involvement of children and young people, where appropriate, in shaping and reviewing the support they receive. The nature and extent of participation will reflect children's age, development and communication needs.

Article 18 (Parental responsibilities and state assistance)

Positive. Individual Support Plans may support existing expectations for schools and other settings to communicate with parents about the special educational provision being made for their child. Clearer and more consistent information is intended to support parents in exercising their responsibilities and engaging effectively with settings.

Article 23 (Children with disabilities)

Positive. For children with disabilities, Individual Support Plans are expected to provide a clear and consistent record of reasonable adjustments and other support, enabling these to be shared appropriately within and between settings. This supports continuity of provision and inclusion across transitions.

Article 28 (Right to education) and Article 29 (Goals of education)

Positive. The policy aims to improve access to education by ensuring that children's needs are identified early and that appropriate educational support is recorded and reviewed. By helping to prevent the escalation of unmet needs, Individual Support Plans may support children to remain engaged in mainstream education alongside their peers and ease transitions, including moves to secondary or post-16 education. For children with temporary or fluctuating needs, Individual Support Plans may also support responsive provision and help reduce risks of disengagement, absence or exclusion.

Summary

Overall, the policy is expected to have a positive impact across the affected UNCRC articles by supporting earlier, clearer and more consistent identification of children's needs and the provision required to meet them. By improving communication, continuity and responsiveness within mainstream settings, Individual Support Plans aim to enhance children's access to education, support parents and carers, and promote inclusive practice, while retaining routes to statutory protections where these are required.

Targeted plus support

Inclusion Bases

Policy context

DfE will invest £3.7 billion from now until 2030 to make buildings accessible, create new special school places, and tens of thousands of new places in Inclusion Bases in mainstream settings. These bases are intended to provide access to specialist expertise and tailored support while enabling children and young people with more complex needs to remain connected to their local schools, communities and peers. Inclusion Bases will be underpinned by 2 models:

- **‘Support Bases’** - commissioned and funded by individual settings and multi-academy trusts to deliver targeted support
- **‘Specialist Bases’** - commissioned and funded by the local authority to deliver specialist support

This will allow children with more complex needs to receive the specialist support they need whilst remaining in their local communities, close to their families and friends and reducing often lengthy and expensive travel journeys to get their educational needs met.¹ By embedding Inclusion Bases within mainstream provision, the policy aims to strengthen inclusive practice and deliver high quality teaching and support to children with more complex needs who would benefit from provision that bridges the current gap between mainstream and specialist.

Article 2 (Non-discrimination)

Positive. The policy aims to enable more children and young people with SEND to access mainstream education settings, with appropriate support in place, regardless of background or characteristics. By expanding specialist provision within mainstream environments, the policy seeks to reduce barriers to inclusion and promote equitable access to education alongside peers.

Article 3 (Best interests of the child)

Positive. By increasing the availability of specialist support within mainstream settings, the policy supports children and young people to access education that reflects their individual needs and best interests. This includes balancing academic learning, social inclusion and access to specialist expertise.

¹ National Audit Office, [Home to school](#) (2025)

Article 6 (Life, survival and development)

Positive. Strengthening inclusive capacity within mainstream settings is intended to support children's holistic development. Tailored teaching and access to specialist services through Inclusion Bases can help maximise educational, social and developmental outcomes.

Article 12 (Respect for the views of the child)

Positive. The policy expands the range of educational options available to children and young people. National guidance will emphasise the importance of engaging children, young people and their parents or carers in decisions about placement and provision, supporting meaningful participation in choices that affect them.

Summary

Overall, this policy is expected to have a positive impact on children's rights by strengthening inclusive education and widening access to high quality specialist support within mainstream settings. The introduction of Inclusion Bases is intended to enable children and young people with more complex needs to remain in their communities while receiving tailored teaching and specialist input.

By promoting equitable access, prioritising children's best interests and supporting development across educational and social domains, the policy advances key UNCRC principles, including non-discrimination and the right to education. National guidance, data monitoring and peer networks are intended to underpin consistent, evidence-based practice, while increased choice within the mainstream system supports children's agency and participation in decisions affecting them.

Experts at Hand

Policy context

DfE is investing £1.8 billion over 3 years to help mainstream settings access early support and advice through the Experts at Hand offer. This support will be commissioned locally by local authorities and Integrated Care Boards and is intended to make it easier for schools to draw on specialist expertise to meet needs early and effectively.

This will include expanding outreach from alternative provision (AP), special schools, and special post-16 institutions, enabling teachers with specialist expertise to provide advice and share effective approaches. Mainstream schools will also have access to time limited placements in specialist settings, such as AP and special schools for children and young people who need additional expert support to address individual needs and develop the skills and strategies to return to, and thrive in, mainstream classrooms.

Alongside this, DfE is investing over £40 million to grow the specialist workforce by expanding educational psychology training, with 2 cohorts of over 200 trainees starting in 2026 and 2027, followed by further cohorts from 2028 to 2030. DfE will also expand access to educational psychologists and speech and language therapists (SaLTs), including through expanding apprenticeship routes and upskilling the existing workforce.

Together, these measures are intended to build capability and capacity within mainstream settings, supporting a shift from reactive, individualised interventions towards earlier, whole setting support. The policy aims to enable more strategic deployment of specialist expertise across education and health services, improving identification of need and access to timely support.

Article 2 (Non-discrimination)

Positive. By improving access to educational psychologists and SaLTs and strengthening capacity across the system, the policy aims to reduce inequalities in access to support and promote more consistent provision across local areas.

Article 3 (Best interests of the child)

Positive. Earlier and more reliable access to specialist support is intended to support decision making that reflects children's wellbeing and developmental needs. By enabling schools to respond more effectively and promptly, the policy supports outcomes that are in children's best interests.

Article 5 (Parental guidance and a child's evolving capacities)

Positive. Improved availability of specialists is intended to allow greater engagement with children, young people and their parents or carers. This supports parents in understanding and responding to their child's needs and helps children to express their views as their capacities develop.

Article 6 (Life, survival and development)

Positive. Earlier intervention and improved access to SEN related expertise can support children's development and help prevent the escalation of unmet needs. Timely input from EPs and SaLTs may contribute to improved long term educational, social and health outcomes.

Article 12 (Respect for the views of the child)

Positive. EPs play a key role in understanding and representing the views of children and young people. Expanded access to EPs is therefore expected to strengthen the extent to which children's views inform assessment, planning and support.

Article 13 (Freedom of expression)

Positive. By improving access to professionals who support communication, emotional expression and participation, the policy is expected to enhance children's freedom of expression, particularly for those with speech, language and communication needs.

Article 18 (Parental responsibilities and state assistance)

Positive. The policy supports parents by improving access to specialist advice and enabling clearer, more consistent routes to support. Engagement with parents and carers is expected to inform how specialist access is designed and delivered locally.

Article 23 (Children with disabilities)

Positive. The policy strengthens system capacity to support children with disabilities by enabling earlier identification, more targeted intervention and improved access to specialist expertise. This supports children to live a full and dignified life, develop independence and participate actively in their communities.

Article 24 (Health and health services)

Positive. Improved coordination between education and health services, alongside increased access to SaLTs and other specialists, is expected to support children's health and wellbeing. The policy draws on learning from existing SEND pilots, including the Early Language Support for Every Child (ELSEC) and Partnerships for Inclusion of Neurodiversity in Schools (PINS) programmes.

Article 29 (Goals of education)

Positive. By supporting timely access to specialist input, the policy aims to remove barriers to learning and enable children and young people to develop their abilities to their full potential. Improved parental engagement further supports educational decision making.

Article 30 (Children from minority or indigenous groups)

Positive. Evidence indicates that children from some ethnic minority groups are more likely to be identified with SEN and to experience barriers in accessing timely support. By improving access to specialist services and reducing delays, the policy may contribute to more equitable outcomes for these groups.

Summary

Overall, this policy is expected to have a positive impact across key UNCRC articles by improving access to early and specialist support for children and young people with SEND. Through significant investment in workforce capacity, improved coordination between education and health services, and a focus on earlier intervention, the policy aims to reduce inequalities, strengthen parental support and promote children's participation and development.

In developing these proposals, DfE has engaged with stakeholders including professional bodies such as the Royal College of Speech and Language Therapists and Speech and Language UK, as well as NHS England and the Department of Health and Social Care. This engagement has informed the approach to workforce capacity, delivery models and access to specialist support, and will continue as the policy is refined and implemented.

Specialist support for those with complex needs

Specialist Provision Packages

Policy context

The proposed reforms introduce nationally defined Specialist Provision Packages for children and young people with the most complex SEND. The provision offer set out in the Specialist Provision Packages will underpin the entitlements in an Education, Health and Care Plan (EHCP), and we propose that only those children and young people who need a Specialist Provision Package will have an EHCP in future, whether in a mainstream or specialist setting. These packages are intended to improve clarity and consistency by setting out expected provision, outcomes and resourcing, supported by evidence-based practice and a national framework. A revised statutory assessment process, to be co-designed with experts, children, and families, would determine eligibility, with the aim of ensuring more timely, transparent and equitable access to specialist provision.

Given the sensitivity of change for children and young people with complex needs, implementation of Specialist Provision Packages will be phased to support continuity of provision and minimise disruption. Clear communication with families, alongside coordination between education, health and care services, will be central to ensuring individual circumstances are considered as packages are introduced.

Article 2 (Non-discrimination)

Positive. The reforms aim to improve support for all children with SEND, regardless of background, by introducing clear national standards and reducing variation in provision. By basing access to specialist packages on need rather than geography or local practice, the proposals advance equality and reduce discriminatory outcomes. Inclusive communication and engagement during implementation will support access for children and families from all backgrounds.

Article 3 (Best interests of the child)

Positive. The reforms place children's best interests at the centre by providing greater clarity about the support required for children with complex needs and by reducing delays in accessing appropriate provision. The statutory assessment process will take account of the views of children, families and professionals, while strengthened mainstream inclusion supports education in the most appropriate setting. Implementation will be phased to maintain stability and avoid disruption to education.

Article 6 (Life, survival and development)

Positive. Earlier and more appropriate access to specialist support is intended to promote children's development and long-term wellbeing. By setting out evidence-based packages to support, the reforms aim to help children with complex needs achieve and thrive academically, socially and emotionally, and to support greater independence over time.

Article 12 (Respect for the views of the child)

Neutral. Children and young people will continue to have their views, wishes and feelings considered in decisions about their education and support. The statutory assessment process will require local authorities to seek and take account of these views, alongside those of parents. Wider reforms, including improved mainstream provision and the introduction of Individual Support Plans, will support collaborative working and co production, ensuring that children's voices remain central.

Article 23 (Children with disabilities)

Positive. The proposals strengthen support for children with disabilities by improving access to high quality, evidence-based specialist provision. Packages are intended to enable more children to be educated in mainstream settings where appropriate, reducing isolation and supporting inclusion. DfE will produce practical guidance on reasonable adjustments, which will contain real examples and simple, actionable tools to embed inclusive practice confidently and consistently. Workforce development and expanded access to Inclusion Bases will help ensure that children whose needs do not meet specialist package thresholds continue to receive appropriate support in mainstream education.

Article 24 (Health and health services)

Positive. Specialist Provision Packages will include consideration of health-related interventions and therapies where these are essential to meeting children's needs. Improved coordination between education and health professionals will support better access to health services and more joined up care for children with complex needs.

Article 28 (Right to education)

Positive. DfE will maintain the legal principle known as 'presumption to mainstream', so that where a parent or young person indicates a preference for a mainstream setting, as part of the education, health and care needs assessment process, there will be strong legal duties on local authorities to make this happen, subject to the existing legal exceptions, for example when such a placement would be incompatible with the efficient education of others. The right to education is strengthened through reforms designed to reduce delays, improve consistency and ensure access to appropriate provision. Clear expectations for both specialist and mainstream support will help children with complex

needs remain engaged in education, while continuity of provision across transitions will reduce disruption.

Article 29 (Goals of education)

Positive. The reforms aim to support every child to develop their personality, talents and abilities to the fullest. By setting out evidence-based approaches to teaching and support, the packages will help ensure that education is ambitious, tailored to individual goals and inclusive of wider participation in school life.

Summary

Overall, the proposals are expected to have positive and neutral impacts across the relevant UNCRC articles by improving access to timely, appropriate support for children and young people with complex needs and by promoting greater equity and consistency in specialist provision. Through clearer national packages and a strengthened statutory assessment process, the policy aims to reduce delays, improve transparency and support children's best interests while maintaining inclusive and varied educational options.

Education, Health and Care Plans

Policy context

The aim of this policy is to improve outcomes for children and young people with the most complex SEND by ensuring their needs are met through an evidence-based and more consistent system, including improved Education, Health and Care Plans (EHCPs) that set out clear statutory entitlements and intended outcomes aligned to Specialist Provision Packages.

We will introduce primary legislation to establish that EHCPs will be granted to children who require a Specialist Provision Package. This means that where a child's needs can be well supported in mainstream schools through an Individual Support Plan and the help of the Experts at Hand service, that will be the norm and there's no need for a statutory assessment. This will reflect our reorientation of the system towards mainstream inclusion with early intervention, flexible provider-led support and the embedding of education and health professionals within mainstream settings. We will place a duty on schools to produce an Inclusion Strategy, setting out what they will provide across the Universal offer, and the Targeted, and including Targeted Plus layers of support. This means that, for the first time, we are creating a duty on schools to set out how they will deliver evidence-based support to children and young people with SEND. We are introducing new duties on settings to create Individual Support Plans and, for the first time, setting out a requirement to use evidence-based resources and interventions to identify and meet need.

Given these reforms, we anticipate over time that more children and young people will be supported in the Universal offer or Targeted layer in mainstream. We expect that EHCP numbers will increase but at a slower rate through to 2029 to 2030 as we begin to invest in the new system and equip mainstream early years settings, schools and colleges to meet needs earlier. As reforms become embedded, we expect the number of children and young people needing a Specialist Provision Package, and hence an EHCP, to access support will return to around today's level by 2035. This will be above long-term historical trends, as we know needs have increased worldwide, in part through better identification. We will manage the transition to a new system carefully.

Taken together, these measures are intended to strengthen support across the system, maintain continuity at key transition points, and reduce the likelihood of adverse impacts as the reforms are implemented.

Article 2 (Non-discrimination)

Positive. The reforms aim to improve support for children and young people with SEND regardless of background, by strengthening both mainstream provision and the support available through EHCPs. By improving consistency and clarity, the proposals seek to reduce inequities in access to support.

Article 3 (Best interests of the child) and Article 12 (Respect for the views of the child)

Positive. The proposals are intended to ensure that children and young people's needs are identified and met more effectively and at an earlier stage, and that education takes place in the most appropriate setting. Existing statutory requirements to consider the views, wishes and feelings of children and their parents will continue to apply.

Article 23 (Children with disabilities)

Positive. The proposals are intended to strengthen support for children with disabilities by improving access to consistent, evidence-based provision. Specialist Provision Packages will support clearer access to high quality specialist support for those with more complex needs, while strengthened mainstream provision will enable more children to be educated alongside their peers in their local communities. Together, these changes are intended to support effective preparation for adulthood.

Article 28 (The right to education)

Positive. By improving how educational needs are identified and addressed, the reforms aim to support children and young people with complex needs to remain engaged in education, whether in mainstream or specialist settings. More effective provision is expected to reduce disruption and improve continuity of education.

Summary

Overall, the policy is expected to have a largely positive impact on children's rights by strengthening the role of EHCPs in supporting children and young people with the most complex needs, while improving consistency and clarity in how support is accessed and delivered across the system. The reforms aim to promote non-discriminatory access to evidence-based provision, enhance inclusion for children with disabilities and support children and young people to remain engaged in appropriate education in both mainstream and specialist settings.

The proposals retain existing statutory safeguards, including requirements to have regard to children's views, wishes and feelings and to act in their best interests. While these rights are not expected to be weakened, the extent to which the reforms strengthen participation and best interest decision making will depend on effective and consistent implementation alongside the strengthened mainstream offer and Specialist Provision Packages.

Enhanced funding, workforce training, accountability arrangements and phased implementation are intended to mitigate the risk of unmet need and support continuity of provision. Taken together, the reforms are expected to support preparation for adulthood and the realisation of rights across key UNCRC articles, while recognising the importance of monitoring impacts as implementation progresses.

Parental preference

Policy context

For those who need specialist support it is important that young people and parents retain a strong right to indicate a preference for a particular placement, and we want them to receive greater support and information to make this decision. We also believe that the law needs to allow decisions on placements to be made with greater consideration of evidence of effectiveness, good value, and the needs of other children. For example, where a special school is full it would likely not be in the best interests of all children for more to be admitted to that setting.

We will maintain the legal principle known as ‘presumption to mainstream’, so that where a parent or young person with an Education, Health and Care Plan (EHCP) indicates a preference for a mainstream setting, there will be strong legal duties on local authorities to make this happen. We will amend the law so that local authorities are required to provide young people and parents with a list of recommended settings which are able to deliver the appropriate Specialist Provision Package for their child, from which to choose. We will also amend the current legal exception related to incompatibility with the ‘provision of efficient education for others’ so that local authorities are not required to name a school or setting in an EHCP where it is already full or where this would have a seriously detrimental effect on children or young people already in the setting. Lastly, we will amend the current legal exception related to incompatibility with ‘the efficient use of resources’ to make it clear that weight must be put on the evidence of the effectiveness of the provision, value for money, and fairness in future decisions about placements.

In addition, all children and young people who move from an EHCP to an Individual Support Plan will retain the ability to request a placement at a mainstream setting of their choice.

Article 2 (Non-discrimination)

Neutral. The reforms are intended to improve support for children and young people with EHCPs regardless of background or protected characteristics. By enabling local authorities to take a more strategic role in placement decisions, the proposals aim to reduce disparities arising from variability in local provision. However, as the reforms do not create new or remove existing protections, the impact on non-discrimination is assessed as neutral.

Article 3 (Best interests of the child) and Article 12 (Respect for the views of the child)

Neutral. Existing duties under Section 19 of the Children and Families Act 2014 require local authorities to have regard to the views, wishes and feelings of children, young people and their parents, to support participation in decision making and to promote the best possible educational and other outcomes. The reforms do not alter these duties. As

children's participation rights and the requirement to consider best interests will continue to apply, the overall impact is assessed as neutral.

Article 23 (Children with a disability)

Positive. The reforms are intended to improve consistency and access to evidence-based, high-quality provision for children and young people with disabilities. By strengthening local authority decision making and planning, the proposals aim to support better matching of needs to provision and more effective preparation for adulthood. Changes to how settings are identified and named on EHCPs by local authorities are intended to contribute to improved outcomes across local areas.

Article 28 (Right to education) and Article 29 (Goals of education)

Positive. By enabling local authorities to make more strategic placement decisions and plan provision more effectively, the policy aims to ensure that children and young people access education with appropriate support across local areas.

Summary

Overall, the policy is expected to have a neutral or positive impact on children's rights by reforming how placement decisions are made within the EHCP process in order to support greater consistency, equity and outcomes focused decision making. By rebalancing the role of local authorities in identifying suitable provision and planning sufficiency, the reforms aim to improve access to appropriate, high quality, evidence-based education across local areas.

Existing statutory duties to have regard to the views, wishes and feelings of children, young people and their parents, and to act in children's best interests, will remain unchanged. However, families may experience a change in how choices are presented and exercised in practice as part of a rebalanced approach to parental preference. For this reason, the impacts on non-discrimination and participation rights are assessed as neutral.

The policy is expected to contribute positively to the realisation of Articles 23, 28 and 29 of the UNCRC by supporting improved matching of needs to provision and more effective use of system capacity, while retaining safeguards and routes of challenge. Ongoing engagement, transparent communication and careful implementation will be important to ensure that children and families continue to feel supported and meaningfully involved in placement decisions.

Independent special schools

Policy context

The proposed reforms strengthen regulatory oversight of independent special schools (ISS) to improve quality, consistency and value in state funded specialist provision for children and young people with the most complex needs.

Under the reforms, only providers meeting strengthened registration and quality requirements would be eligible for state funded placements. This includes clearer expectations on standards, alignment with national Specialist Provision Packages, and aligning their admission duties with that of other specialist settings. DfE also intends to introduce differentiated fee caps to improve transparency and value for money, while ensuring specialist placements remain available where required.

DfE is working to ensure that phased implementation informed by sector analysis, close engagement with local authorities, strengthened sufficiency planning, and continued expansion of state-maintained specialist provision and specialist capacity within mainstream settings all safeguard against the risk of disruption for children and young people. DfE is committed to supporting continuity of placements, including maintaining existing special school places for all children with an Education, Health and Care Plan (EHCP) at the point of transition. This is supported by the investment of £3.7 billion from now until 2030 to make buildings accessible, create new special school places, and tens of thousands of new places in Inclusion Bases in mainstream settings.

Further work is being undertaken with sector experts, providers and local authorities to ensure that specialist provision packages, pricing structures and local sufficiency planning support high quality, financially sustainable provision. Phased implementation will be critical to managing risks associated with provider adjustment or exit and to maintaining continuity of education for children and young people.

Overall, the reforms are intended to reduce variability in quality and cost, improve oversight of the independent specialist sector, and support sustainable local sufficiency of appropriate provision.

Article 2 (non-discrimination)

Neutral. Some children who share protected characteristics may be more affected by these reforms, given their focus on children and young people with SEND. Evidence shows that pupils from certain ethnic groups (including Black Caribbean, White and Black Caribbean, White British, and White Irish), as well as boys, are currently more likely to

attend independent special schools than the wider pupil population.² A reduction in the state's reliance on placements in ISS may therefore affect these groups more than others, with the potential for both positive and negative impacts.

Requiring ISS to deliver provision in line with national specialist packages supports high quality, needs-led education that is adaptable to differing profiles and supports long term outcomes. There is a potential risk that reforms could lead some ISS providers to exit the market or change the nature of their provision which could disruption to the education of children with disabilities while alternative suitable placements are identified. This risk will be mitigated through strengthened mainstream provision, workforce development, and careful management of provider transitions to minimise disruption to education, continuity of care, and children's emotional wellbeing.

Article 3 (Best interests of the child)

Positive. The reforms aim to ensure that every child receives the best possible education by improving the quality and consistency of specialist provision, regardless of where a child is educated. Requiring ISS to deliver provision in line with national specialist packages supports high quality, needs-led education that is adaptable to differing profiles and supports long term outcomes.

Article 5 (Parental guidance and a child's evolving capacities)

Neutral. As part of wider SEND reforms, there will be changes to how parents and young people can express preferences for schools, including ISS and specialist provision. Parental and young person views will continue to be considered alongside other statutory factors to ensure placements are based on children's needs and outcomes.

Article 6 (Life, Survival and Development)

Positive. All specialist schools and colleges, including ISS, will be required to deliver provision aligned to national Specialist Provision Packages. This will support more comparable, outcome focused education for children with complex needs. By linking package delivery to defined cost expectations, the reforms seek to prioritise investment in educational quality and support, helping children develop independence and prepare successfully for adulthood.

² ISS statistics by sex and ethnicity - <https://explore-education-statistics.service.gov.uk/data-tables/permalink/0b11b98e-2b8e-4322-9572-08de4155ee12>.

Pupil population statistics by sex - <https://explore-education-statistics.service.gov.uk/data-tables/permalink/0a93e511-12b6-416c-9571-08de4155ee12>.

Pupil population statistics by ethnicity - <https://explore-education-statistics.service.gov.uk/data-tables/permalink/8643408b-cf85-4097-9570-08de4155ee12>

Article 15 (Freedom of association)

Positive. There is a risk that children eligible for specialist placements may experience separation from peers in mainstream settings. However, strengthened inclusive mainstream provision, alongside outreach and partnership working between mainstream and specialist providers, is intended to promote collaboration and connection. For children with low incidence needs, Specialist Provision Packages may support access to appropriate peer groups where mainstream provision could otherwise result in isolation.

Article 19 (Protection, from violence, abuse and neglect)

Positive. The reforms aim to strengthen safeguarding by introducing clearer regulatory standards and increasing state oversight of ISS provision. Enhanced requirements will help ensure that providers maintain safe environments for children. Engagement with the sector will continue to identify and implement improvements necessary to protect children effectively.

Article 23 (Children with a disability)

Positive. The reforms will have a greater impact on children with disabilities than on children without this protected characteristic, as they focus on changes to the ISS sector, which serves children and young people with SEND, many of whom have a disability. The reforms are likely to reduce the number of independent special school placements, by reserving such placements for children with the most complex needs through the introduction of Specialist Provision Packages.

Requiring ISS to deliver provision in line with national specialist packages supports high quality, needs-led education that is adaptable to differing profiles and supports long term outcomes. There is a potential risk that reforms could lead some ISS providers to exit the market or change the nature of their provision which could disruption to the education of children with disabilities while alternative suitable placements are identified. This risk will be mitigated through strengthened mainstream provision, workforce development, and careful management of provider transitions to minimise disruption to education, continuity of care, and children's emotional wellbeing.

Article 28 (Right to education)

Positive. The reforms do not directly affect children's right to education; however, they are likely to reduce the range of state funded ISS placements available by reserving such provision for children with the most complex needs under Specialist Provision Packages. There is a risk that some providers may close or change provision as a result of reforms, which could mean alternative placements must be found for some children. However, as a result of the reforms these may better fit with some children's needs.

There is a potential risk of breaches of the right to education under Article 2 of Protocol 1 of the European Convention on Human Rights if a child is taken off roll following provider closure or refusal to accept revised funding and an alternative placement cannot be

found promptly. To mitigate this risk, children with SEND will continue to have access to a range of educational settings, including mainstream schools, specialist units and resource provision, as well as specialist settings for those who meet the relevant thresholds. All children and young people who have a special school place in September 2029 will be able to stay in special school until the end of their education, unless they choose to move to a mainstream setting. Their EHCP and support will continue to be reviewed annually.

Article 29 (The goals of education)

Positive. Children with SEND may require an adapted curriculum and different approaches to teaching and learning. Introducing Specialist Provision Packages will require ISS to deliver one or more packages tailored to specific needs. This is expected to have a positive impact by ensuring that education provision is appropriate to individual needs and supports children to achieve meaningful personal, educational and developmental goals.

Summary

Overall, the policy is expected to have a broadly neutral but partly positive impact on children's rights. While reducing reliance on ISS may limit choice and create risks of provider exit or short-term disruption, these are expected to be mitigated through improved mainstream inclusion, expanded specialist and resourced provision, workforce development and phased implementation. Aligning ISS provision with national specialist packages is intended to support fairer, needs-led placements, stronger preparation for adulthood, and greater opportunities for children with SEND to learn safely alongside their peers.

Reforming the system to reward inclusion

Funding reform

Policy context

The proposed reforms introduce over £200 million for Best Start Family Hubs, £1.6 billion for inclusion funding over the next 3 years, £1.8 billion for Experts at Hand and £3.7 billion capital funding to improve the accessibility of buildings, create new special school places, and tens of thousands of new places in inclusion bases in mainstream settings. Funding will be allocated directly to education settings, enabling schools to respond flexibly and promptly to pupils' needs. Placing resources closer to children and young people is intended to support earlier, evidence-based intervention and improve the quality of SEND provision within mainstream settings.

Evidence from international research and practice in England suggests that systems where a greater proportion of SEND funding is held by schools are more likely to support inclusive mainstream environments and earlier access to support. Such approaches are associated with reduced reliance on diagnosis and less adversarial routes to support for families.³ The reforms are intended to build on this evidence by enabling schools to respond effectively to emerging needs.

To promote consistency and accountability, setting leaders and multi academy trust leaders will be responsible for how inclusion funding is used, with external oversight through Ofsted. Schools will be required to publish an inclusion strategy setting out how funding is deployed to support children and young people with SEND, supporting transparency and local accountability.

While increased flexibility is intended to improve responsiveness, there is a risk of variation in how funding is used across settings if leadership capacity or workforce expertise differs. This is mitigated through clear accountability at setting and trust level, inspection oversight, transparency through published inclusion strategies, and wider workforce development to strengthen SEND expertise in mainstream settings.

Overall, the reforms are intended to support more consistent, effective use of funding, strengthen inclusive practice across the system, and improve outcomes for children and young people with SEND.

Article 2 (Non-discrimination)

Positive. By increasing the support that schools are expected and resourced to provide directly, the policy aims to create a fairer and more consistent system for all children. It

³ [Cor Meijer / European Agency, Financing of Special Needs Education \(1999\)](#)

seeks to reduce inequities associated with the current system, where children from disadvantaged backgrounds are sometimes less likely to access timely support or to have their needs identified with the same precision as their peers. Earlier and more routine access to support within mainstream education is intended to remove unnecessary barriers and delays.

Article 3 (Best interests of the child)

Positive. Pupils with SEND are expected to access support earlier, as schools will have funding available within their core budgets to respond to need as it emerges. Aligning funding and accountability more closely with those working with children day to day supports flexible and responsive decision making. This approach is intended to promote meaningful inclusion by enabling children and young people to participate, belong and achieve within their educational settings. By requiring schools and trusts to demonstrate value for money in their use of SEND resources, the policy aims to support improved outcomes and ensure that children's best interests remain central.

There is a risk that current patterns of inconsistent or insufficiently evidence-based provision could persist, with potential negative impacts on pupils' experiences. The new national expectations and accountability measures aim to reduce this risk. Schools and trusts will be accountable for their use of inclusion funding, while inclusion strategy reports will support stronger oversight by governors and contribute to Ofsted's assessment of how effectively inclusion is implemented and aligned with local partnership plans.

Schools will also have access to an evidence repository and targeted support through the regional improvement for standards and excellence (RISE) programme, national inclusion standards and teacher training of SEND. These policies include significant investment in workforce training. This will improve quality within settings and strengthen their overall approach to inclusion.

While schools will retain autonomy over decision making, leaders will continue to be responsible for assessing needs and monitoring impact. The policy intention is to enable mainstream settings to meet the needs of a greater proportion of pupils effectively and to improve outcomes.

Article 28 (Right to education)

Positive. Strengthening inclusive mainstream provision supports children's right to education by helping to ensure that pupils with SEND can access and remain engaged in education with appropriate support. Updates to funding arrangements and accountability mechanisms, including strengthened reporting requirements and Ofsted criteria, are intended to provide assurance that children do not miss out on education due to unmet needs.

Article 29 (Goals of education)

Positive. The policy supports access to a broader and more coherent range of interventions than any individual school could provide alone, including through cohort based commissioning and improved access to specialist expertise. By aligning accountability with outcomes, schools are incentivised to deliver high quality, efficient provision based on strong teaching and evidence informed practice, supporting children to develop their talents and abilities.

Summary

Overall, this policy is expected to have a positive impact on children's rights by enabling mainstream schools to deliver earlier, more flexible and more effective support for pupils with SEND directly from their core budgets. By reducing reliance on statutory assessment as the primary route to support, the reforms aim to address inequities in access.

By aligning funding with accountability and strengthening workforce capability, the policy places responsibility for provision with professionals who know children best, supporting decisions in children's best interests and promoting meaningful inclusion. While there is a risk of variable practice, this is mitigated through strengthened oversight, inclusion strategy reports, enhanced Ofsted scrutiny, access to specialist support, evidence informed tools and significant training investment. Collectively, these measures aim to support children's rights under Articles 2, 28 and 29 of the UNCRC.

Accountability

Policy context

Accountability reforms aim to strengthen oversight and transparency across the SEND system by introducing clearer and more consistent expectations for schools, local authorities and multi-academy trusts. The reforms will require education settings to publish Inclusion Strategies, produce Individual Support Plans, improve reporting on the use of SEND funding, and demonstrate compliance with statutory duties. This will come on top of Ofsted's new inspection framework, which will assess all settings for inclusion and in due course we will consult on changes to the area SEND inspection framework. We will also update school performance measures to promote high standards for all pupils and to recognise inclusive mainstream schools which are enabling good progress amongst the children and young people who face the greatest barriers to learning.

These changes are intended to reduce variation in practice, support continuous improvement, and ensure that children and young people receive appropriate, high-quality support within mainstream settings wherever possible. By increasing transparency and accountability, the reforms aim to promote earlier identification of need, more consistent provision, and greater confidence for families in how decisions around support are made. DfE will refine the definitions of the areas of development, to be included in the updated Code of Practice and underpinning the National Inclusion Standards, and explore and clarify how educators can support the areas of development in the classroom and setting, linking to the evidence-based approaches that will be set out in the National Inclusion Standards.

Article 2 (Non-discrimination)

Positive. By establishing clear expectations for inclusive practice and strengthening accountability across education settings and local areas, the policy supports more consistent provision for children with SEND regardless of where they live. Improved transparency in relation to funding, provision and outcomes helps to identify and address disparities more effectively, reducing the risk of unequal treatment.

Article 3 (Best interests of the child)

Positive. The policy strengthens accountability structures to ensure that decisions about SEND provision are consistently informed by children's needs and wellbeing. Requiring early identification, evidence-based interventions and effective oversight support a more responsive and reliable system. Clear statutory duties and stronger governance structures are intended to ensure that every child receives timely, high-quality provision that supports their wellbeing and development.

Article 5 (Parental guidance and a child's evolving capacities)

Positive. Greater transparency around planning, delivery and funding of SEND support gives parents and carers clearer information about how their child's needs are being met. Strengthened governance and partnership arrangements encourage more consistent and meaningful engagement with families, supporting parents in guiding and supporting their children as their needs evolve.

Article 6 (Life, Survival and Development)

Positive. By embedding inclusive practice and improving monitoring of outcomes, the policy supports children's longer-term development. Stronger inspection, clearer accountability and earlier intervention reduce the risk of delays or gaps in provision that could hinder progress. Improved coordination across education, health and local partners further supports children's developmental needs.

Article 12 (Respect for the views of the child)

Positive. The enhanced accountability framework, including Ofsted's increased focus on inclusion and pupil experience, creates more structured opportunities for children and young people's views to be heard and acted upon. The pupil engagement framework supports settings to understand children's sense of belonging, safety and relationships, ensuring that pupil voice informs continuous improvement.

This supports meaningful participation and helps ensure that children's perspectives influence the quality of support they receive.

Article 23 (Children with disabilities)

Positive. The policy strengthens support for children with disabilities by reinforcing expectations around early identification, high quality provision and inclusive practice across all settings. Improved inspection and oversight support more consistent delivery, while stronger coordination between education, health and local partners improves access to the services children need to participate fully and achieve positive outcomes.

Article 28 (Right to education)

Positive. Improved oversight of inclusion, clarity around statutory duties and stronger accountability arrangements support children's right to education by reducing barriers to participation. Enhanced scrutiny of inclusion funding, performance data and outcomes helps ensure that children with SEND are less likely to miss out on learning due to inconsistent or ineffective practice.

Article 29 (Goals of education)

Positive. The policy promotes high aspirations for all children by requiring schools to adopt evidence-based approaches and monitor progress, particularly for pupils with lower starting points. Strengthened leadership, teaching quality and inclusive cultures support

the development of children's talents, abilities and personal growth, preparing them for life in a diverse society.

Summary

Overall, this policy is expected to have a positive impact on children's rights by strengthening oversight, transparency and consistency across the SEND system. By holding partners to clear standards for inclusive practice and effective use of resources, the policy aims to ensure that children receive timely, high-quality support within mainstream education wherever possible.

The reforms reinforce non-discrimination, prioritise children's best interests and support their wellbeing and development through earlier identification of need and improved monitoring of outcomes. While parental rights remain unchanged, greater transparency and engagement are expected to strengthen families' confidence in local provision. The increased emphasis on pupil voice and participation further supports children's right to be heard, while the focus on inclusive environments helps uphold both the right to education and the broader goals of educational development set out in the UNCRC.

Resolution and legal framework (the tribunal)

Policy context

Appeals relating to SEN and disability have increased substantially in recent years,⁴ contributing to delays and lengthy resolution times for families. The reforms aim to ensure that more needs are identified and met earlier through effective support in mainstream settings, reducing reliance on formal appeal processes.

Where disagreements do arise, the reforms seek to provide quicker, proportionate and collaborative routes to resolution, including through greater use of mediation and disagreement resolution services, and enhancing school level complaints processes, including independent SEND expertise.

As noted in the impact assessment on Education, Health and Care Plans (EHCPs), as reforms become embedded, we expect more children to have their needs met in mainstream and therefore will use the mainstream redress system not the tribunal. When combined with investments in mediation and school complaints processes, this should lead to fewer parents and young people feeling forced to go through the tribunal process in order to receive the support their children need. However, parents and young people will retain access to the tribunal for appeals against:

- decisions not to carry out an assessment for accessing new Specialist Provision Packages
- local authority decisions about whether a child meets the new threshold for new Specialist Provision Packages, and therefore an EHCP
- the Package which the local authority has matched their child to
- local authority decision that a child no longer needs the support set out in a package and that an EHCP should cease
- a local authority's placement decision.

Parents of disabled children will also retain access to the SEND tribunal in relation to disability discrimination cases against schools and local authority-maintained nurseries under the Equality Act 2010 where reasonable adjustments are not made.

Overall, the reforms are intended to reduce delay and reliance on lengthy adversarial processes, while ensuring families continue to have meaningful and proportionate routes to challenge and resolution.

Article 2 (Non-discrimination)

Neutral. A separate equality impact assessment has been undertaken for these proposals. This identifies both positive and potential negative impacts for children in

⁴ [Tribunals statistics quarterly: July to September 2025 - GOV.UK](#)

relation to protected characteristics, including age, disability, sex and race. Any potential negative impacts associated with changes to appeal routes are expected to be mitigated by a greater focus on early support within mainstream provision and by encouraging earlier resolution through mediation and disagreement resolution services, reducing the need for formal complaints or appeals.

Article 3 (Best interests of the child)

Positive. Acting in the best interests of children underpins the wider SEND reforms, including changes to dispute resolution. By encouraging earlier resolution of disagreements and reducing delays associated with lengthy tribunal processes, the reforms aim to ensure that children receive the support they need more quickly, reducing stress and uncertainty for children and families.

Article 4 (Implementation of the Convention)

Neutral. The reforms will continue to uphold children's rights through statutory protections. Parents and young people will also be able to appeal to the tribunal as set out above and parents and young people appealing to the tribunal would have earlier identification and support through mainstream settings to reduce the need for appeals alongside investments in mediation and school complaints processes.

Article 12 (Respect for the views of the child)

Neutral. Existing requirements to seek, hear and take account of children and young people's views, wishes and feelings—having regard to age, maturity and understanding—will be retained. These requirements will continue to apply during mediation and tribunal appeals. As these rights remain unchanged, the impact is assessed as neutral.

Article 23 (Children with a disability)

Positive. Children with disabilities are more likely to be affected by SEND reforms including the changes to dispute resolution arrangements. Positive impacts are expected where earlier support and greater focus on mediation and disagreement resolution services reduce the need for adversarial processes and ensure that problems can be resolved more quickly. Earlier identification and support through an improved mainstream offer, alongside improvements to mediation and school complaints processes, should reduce the need for appeals. Parents of disabled children will also retain access to the SEND tribunal in relation to disability discrimination cases against schools and local authority-maintained nurseries under the Equality Act 2010 where reasonable adjustments are not made.

Article 28 (Right to education)

Neutral. As in the current system, the revised arrangements aim to protect children's access to education. Although changes to resolution routes may affect how some

disputes are resolved, the wider reforms are intended to ensure that children's educational needs are addressed without unnecessary delay, supporting continued access to appropriate education.

Summary

Overall, the policy is expected to have a combination of positive and neutral impacts on children's rights. By promoting earlier identification of need, strengthening mainstream provision and enabling quicker, more proportionate routes to resolution where disagreements arise, the reforms aim to reduce delays that can negatively affect children's experience of education and wellbeing.

Taken together, the proposals aim to support children's best interests, continued access to education and fair treatment, while maintaining statutory protections and promoting a more timely, collaborative and child centred approach to dispute resolution.

Concluding remarks

This assessment reflects the DfE's analysis at the current stage of policy development. As DfE are consulting on our proposals, these assessments are provisional and DfE have had to make estimates and assumptions throughout on the basis of the available evidence at the time of publication. Assessments are subject to future revision.

Consideration of children's rights under the United Nations Convention on the Rights of the Child (UNCRC) is an ongoing responsibility, and this assessment will continue to be informed and updated throughout the development and implementation of these policies. The impacts on children and young people will be kept under review, and further evidence will be gathered through consultation, monitoring and evaluation to inform delivery and any necessary adjustments. This approach is intended to support effective implementation and ensure that children and young people with SEND continue to receive timely, inclusive and appropriate support that meets their needs.

Overall, the assessment indicates that the reforms, when taken together, are expected to support greater inclusion, fairness and transparency across the SEND system, while retaining appropriate safeguards and routes to redress.

Appendices

Annex A – Glossary

In alphabetical order.

Alternative provision (AP)

Settings that provide education for children unable to attend a mainstream school.

Artificial intelligence (AI)

Computer-based systems that analyse data or perform tasks that normally require human judgement.

Children and young people (CYP)

Refers to individuals under 25 in the context of SEND policy.

Code of Practice

Statutory guidance for organisations that support children and young people who have special educational needs or disabilities. The Code of Practice covers 0 to 25 years.

Early years/early years setting (EY)

Early education provision for children aged 0–5, including childminders, maintained nursery schools, school-based nurseries and private, voluntary and independent (PVI) nurseries. In this document, maintained nursery schools and school-based nurseries are grouped with early years settings. Mentions of mainstream schools refer only to primary and secondary schools unless otherwise specified.

Early years foundation stage (EYFS)

Statutory framework for early childhood education.

Education, Health and Care Plan (EHCP)

Legal document outlining the education, health and social care support that is to be provided to a child or young person who has special educational needs (SEN) or a disability.

Educational psychologist (EP)

Specialist support, assessment and intervention for SEND.

Every language support for every child (ELSEC)

Programme aimed at improving early language development.

Experts at Hand

A new offer of expert advice and services from education and health professionals into mainstream education settings.

Inclusion

Our approach to inclusion is guided by the definition set by the UN Convention on the Rights of Persons with Disabilities, which focusses on breaking down barriers. Children's needs are not fixed. They may change over time, and many will face barriers to learning at different stages of their lives – whether due to poverty, bereavement, caring responsibility or other life circumstances. All staff in truly inclusive settings are able to recognise and respond to a wide range of additional needs, not as a response to specific diagnoses, but as a proactive approach towards creating environments where all children can access learning, feel valued and safe, and succeed.

Inclusion Bases

DfE will replace the current terms SEN unit, resourced provision, and pupil support unit (sometimes referred to by settings as 'internal alternative provision') to make it easier for parents to understand the support available for their child. Instead, DfE will collectively describe this provision as 'Inclusion Bases' (as these will sit in mainstream settings) – underpinned by 2 models:

- **'Support Bases'** - commissioned and funded by individual settings and multi-academy trusts to deliver targeted support
- **'Specialist Bases'** - commissioned and funded by the local authority to deliver specialist support

Independent special schools (ISS)

Privately funded schools that specialise in educating children with special educational needs.

Individual Support Plans

A record of a child or young person's barriers to learning and of the provision in place to overcome those barriers. These will be for all children and young people in the targeted, targeted plus and specialist layers.

Integrated Care Board (ICB)

National Health Service (NHS) organisations responsible for planning health services for their local population.⁵

Layers of support

Three layers of support, above the universal offer. These are called Targeted, Targeted Plus and Specialist.

Learning difficulty or disability (LLDD)

A term, commonly used in further education, describing learners whose learning difficulties and/or disabilities affect access to education.

Mainstream

Schools or settings that provide education for all children, including those with SEND.

Occupational therapist (OT)

Specialist support for physical and sensory needs.

Ordinarily available provision (OAP)

Ordinarily Available Provision is the everyday support and adaptive teaching that all mainstream settings are expected to provide from their own resources for children and young people, including those with SEND, before specialist help is considered.

Outcomes

Specific goals or achievements set out for a child or young person to measure progress and success.

Partnerships for inclusion of neurodiversity in schools (PINS)

Programme promoting inclusive practice for neurodiverse pupils.

Public sector equality duty (PSED)

A legal duty requiring public bodies to eliminate discrimination, advance equality and foster good relations.

⁵ [NHS England » What are integrated care systems?](#)

SEN

Special educational needs.

SEND

Special educational needs and disabilities – a broader term than SEN.

Settings

The different types of educational environments where children and young people receive learning and support. This includes early years provision (including childminders, maintained nursery schools, school-based nurseries, and private, voluntary and independent (PVI) nurseries), schools (mainstream and special), and colleges or other post-16 education providers.

Special schools

Schools designed to meet the needs of children with SEND.

Specialist post-16 institution (SPI)

College or setting providing specialist education for young people with SEND.

Specialist provision (or support)

Dedicated support for children whose needs require more than reasonably adjusted provision in a setting.

Speech and language therapist (SaLT)

Professional support for speech, language and communication needs.

Speech, language and communication needs (SLCN)

Difficulties with understanding or using spoken language that affect communication and learning.

Transitions

The process of moving between stages of education or settings, such as from early years to primary school, or from school to further education.

United Nations Convention on the Rights of the Child (UNCRC)

An international agreement setting out the civil, political, economic, social and cultural rights that all children are entitled to.



Department
for Education

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