

# Money for war, but no money for special educational needs in England's schools

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Funding for children with special educational needs and disabilities (SEND) in English schools is facing major cutbacks.

The Department for Education (DfE) is making International Monetary Fund-type “safety valve” bailout deals with local councils facing bankruptcy. Debts, incurred by decades of austerity cuts to pay for bank and corporate bailouts, and now the Ukraine war and inflationary pressures, are being covered by DfE loans or deferred, with onerous strings attached.

Bailout conditions involve hitting the most vulnerable in society; children with special educational needs who may have speech and language difficulties, autistic spectrum conditions, dyslexia, hyperactivity, or moderate to profound learning difficulties. Some children with complex medical conditions may have a mental or physical disability so severe that it interferes with their ability to carry out normal day to day activities.

According to government figures, “The number of pupils with special educational needs increased to 1.49 million pupils in 2022, representing 16.5 percent of all pupils.”

Major cost cutting is being imposed in the provision of SEND support in line with the Conservative government’s green paper SEND review: “Right support, right place, right time”.

*Schools Week* magazine recently interviewed Tony McArdle, in control of distributing £800 million in DfE bailout funds in return for cuts in local council services.

McArdle was an advisor for the SEND review, following which new punitive measures are expected to be announced in February. The reforms proposed will make it much harder to qualify for SEND support.

A former council chief executive for 12 years at Lincolnshire County Council and eight years at Wellingborough, McArdle headed a team sent into Northamptonshire council to impose cuts when it faced bankruptcy in 2018.

An army reservist for 22 years, McArdle was made national director of the Johnson government’s shambolic Track and Trace COVID scheme for a year, with *Schools Week* noting he attended “weekly meetings with [then Health Secretary] Matt Hancock.

*Schools Week* reported that two thirds of local councils have built up debts totalling £2.3 billion. McArdle is heading the

DfE’s “safety valve” negotiations, already securing agreements with 45 local councils, with another five planned next year.

Councils already with safety valve agreements necessitating cuts include Labour Party-run Barnsley, Blackpool, Hounslow, Lewisham, Slough and Southwark, and Conservative-run Bolton, Croydon, Devon, Kent, Medway, and Norfolk, as well as a hung council in Doncaster, and the no-single party majority Isle of Wight and North Somerset.

Labour councils will impose the cuts demanded just as ruthlessly as their Conservative counterparts, and as they have done since austerity began.

Under former leader Jeremy Corbyn, the Labour Party reaffirmed its commitment to make the working class pay for the crisis of capitalism. In 2015, Corbyn as leader of the opposition and Shadow Chancellor John McDonnell issued a letter instructing Labour councils to abide by the law and impose austerity cuts demanded by the Conservative government.

Another 55 councils in deficit were invited to join the DfE’s Delivering Better Value in SEND scheme, whereby dedicated school grant deficits are written off the councils’ balance sheets for three years. Ten or 11 councils would have declared section 114 bankruptcy notices without this reprieve. Some councils reported using reserves to fund SEND support, such as Dorset (£5 million), Kirklees (£2.15 million) and Manchester (£300,000) this financial year.

According to McArdle, SEND provision is excessive and the cause of council indebtedness, because there has been a 50 percent increase in the number of Education, Health and Care Plan (EHCPs) issued since 2016. EHCPs were introduced as part of the Children and Families Act 2014 defining in law the support a child with SEND should receive—to be funded out of a council’s high needs education budget. The Act made SEND provision compulsory up to age 25.

The increase in uptake is hardly surprising, considering provision under the Act was casting a wider net, targeting not just educational needs but also health and social care. But even the meagre provisions in the Act were never properly funded. Since 2010 councils in the poorest areas have suffered funding cuts from central government of up to a third.

In a particularly chilling statement, McArdle told *Schools*

*Week*, “The system doesn’t work. I like to see local authorities succeed... So many places are being prevented from doing that, because they’re hobbled with SEND problems.”

To describe providing education for disabled children—which is a universal right—as councils being “hobbled” exposes the social forces McArdle represents. He voices a resentment driven by eugenics-style conceptions to marginalize the most vulnerable in society.

In line with SEND Review proposals, McArdle suggested the way to tackle deficits is for councils to hand out fewer EHCPs, regardless of need. Children sometimes get too much provision, McArdle claimed. He made the absurd suggestion that EHCP support “should diminish each year, because what is being provided is helping the child overcome their difficulty.”

More children should also attend mainstream rather than special schools. “We’re going to give more to mainstream schools, earlier intervention, better working relationships with parents and across local systems,” he declared. This promise of more money to schools is a cruel deception. The government, with Labour backing, *is cutting funding in every department* except defence, as its ramps up spending for NATO’s war against Russia in Ukraine.

In August, a *Schools Week* investigation by Samantha Booth exposed a shortage of special school places, with school leaders “forced to cram vulnerable pupils into converted therapy spaces and staffrooms.”

Reducing the numbers going to special schools without adequate funding to mainstream education will only add to the huge financial pressures schools face, exacerbated by high inflation and staff shortages.

New “region groups” will have powers to impose a “change in leadership to control high-needs budgets and manage local delivery” at council and school leadership level, McArdle threatened.

*Schools Week* followed its interview with McArdle with a rebuttal by *Special Needs Jungle*-parent information portal founder Tania Tirraoro and contributor Matt Keer. In an article titled “The SEND system is in the hands of those who crashed it”, they write: “Mr McArdle sees the SEND crisis as a ‘demand’ problem. Too many children and young people with EHCPs, too many who don’t really need them, too many in expensive specialist provision... It’s about parents knowing their place [not demanding provision], and schools – particularly mainstream – doing more with less.”

The fiction that cash-strapped councils hand out EHCPs unnecessarily is belied by the experience of parents and educators, who have to fight tooth and nail to get them. The number of tribunal appeals against councils refusing SEND support to families increased last year to a high of 11,052. Families won 96 percent of cases, wholly or in part.

The Independent Provider of Special Education Advice (IPSEA) charity states that “local authorities routinely and unlawfully deny children and young people with SEND the

special educational provision and support they need.”

IPSEA published a November 21, 2022 email addressed to Tory Education Secretary Gillian Keegan from 34 lawyers registering their concerns about the SEND review proposals. The lawyers wrote, “the problem is not that children and young people with SEND are receiving costly provision that they do not need, but that too many children and young people are not receiving the support that they do need.”

The green paper proposes introducing mandatory mediation before an application for a tribunal hearing can be submitted, making it harder for families and educators to obtain EHCPs.

The *Special Needs Jungle* website exposes some of the targets that councils which have entered safety valve agreements must meet. This financial year Kingston Council has to issue no more than 176 new EHCPs, and close at least 107 before the end of March. Richmond and York have similar targets.

When Bury council missed its targets, by “overspending” on new EHCP placements, placements out of the borough and special school placements, the DfE ended the bailout, and the council faces bankruptcy.

The attack on SEND support if accepted will escalate the attacks on the rights of all children. Educators have shown time and again they are willing to fight for this, but the National Education Union and the other education unions are doing nothing but making futile appeals to the government for more funding. To take the fight forward requires building new organisations of struggle, informed by a socialist perspective that puts human need before profit. Join the Educators Rank-and-File Safety Committee today.



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