



Robert Goodwill MP

Minister of State for Children and Families

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24 October 2017

Dear Director of Children's Services,

SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) AND THE FIRST-TIER TRIBUNAL

I wrote to you in September on the importance of completing transfer reviews for children and young people with statements of Special Educational Needs (SEN) and having quality Education, Health and Care (EHC) plans in place by 31 March 2018. I want to reiterate that I am grateful for local authorities' hard work and commitment to completing this task.

It must remain for us all a priority that every child and young person with SEN and Disability gets the opportunity to achieve their potential, find employment and have choice and control over the provision and support they need.

I am writing to you today to bring your attention to the progress we are making on introducing a national trial of the single route of redress for the First-tier Tribunal SEND, and to seek your support to make the trial a success.

The single route of redress national trial will expand the powers of the First-tier Tribunal SEND to enable it to make non-binding recommendations on the health and social care aspects of Education, Health and Care (EHC) plans alongside the educational aspects.

This will reinforce the person-centred nature of the Children and Families Act 2014 by enabling the Tribunal to take a more holistic view of the child or young person's needs.

I am pleased to announce the national trial will begin in March 2018 and will run for two years, following which a decision will be made on roll-out. Regulations will set out the new duties on all local authorities and health commissioners. These will be based on the duties required under the small pilot which ran in 2015-16 in 17 local authorities and can be found at <http://www.legislation.gov.uk/ukxi/2015/358/contents/made>

We would welcome your support in promoting the national trial in your area. The Department has commissioned Mott MacDonald, part of the Delivering Better Outcomes Together (DBOT) consortium, to provide a package of support including: guidance on roles and responsibilities; a toolkit of practical materials; a helpdesk function; and regular newsletters.

In preparation for the launch in March, the Department is organising half-day regional induction events in January and February 2018 for senior commissioners and invitations will be sent out in November. The events will clarify duties, provide further detail on what will be expected both in preparation for and during the trial, and set out what support will be available. I would appreciate your support to ensure the events are well attended by senior managers from both SEND and social care, alongside their health counterparts.

We will be independently evaluating the trial to assess whether the extended powers are deliverable and sustainable, to test processes and user-satisfaction, and to provide evidence on the impact on children and young people with SEND and on commissioners and services. We will consider next steps following this evaluation, including whether evidence supports a broader roll-out.

We expect to have the research team in place by January 2018 so that preparatory work can begin. In order for the trial to be effective, it is important that local authorities and others involved provide information as requested to the researchers. This will best ensure a robust evaluation, which takes account of all relevant reviews – for example, on local resource implications. Further guidance on this will be available in due course.

In order to ensure this message is widely communicated, I am copying it to individuals and organisations interested and affected by these changes – such as Chief Nurses in Clinical Commissioning Groups via NHS England Regional and Local SEND Leads, parents and young people groups and organisations that represent them, and to a range of voluntary and community sector organisations. I would be grateful if you could cascade this letter to relevant people in your local authority and through your local networks.

Yours sincerely,



Robert Goodwill MP
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