



Vicky Ford MP

Parliamentary Under-Secretary of State for Children and Families

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To: Members of the National Trial Steering Group and Evaluation Subgroup

20 July 2021

Dear Steering Group members,

THE SEND TRIBUNAL'S EXTENDED POWERS UNDER THE NATIONAL TRIAL

I would like to take this opportunity to pass on my sincere thanks for your contributions and input to the National Trial Steering Group. You made an important contribution to overseeing the Trial and your feedback was really valued.

I am pleased to let you know that, informed by the findings of the evaluation and your feedback, that **the extended powers of the SEND Tribunal to make non-binding recommendations in relation to health and social care aspects of Education, Health and Care (EHC) plans**, alongside education elements, **will continue** after 31 August 2021, when the National Trial ends.

The independent evaluation of the National Trial has now been published in full on gov.uk. As you know, the evaluation considered the impact of the Trial on value for money on the public purse; the experiences and outcomes of families; and impacts on Local Authorities (LAs) and Clinical Commissioning Groups (CCGs). In summary, the evaluation finds broadly positive evidence in support of the Tribunal's extended powers – indicating that they are resulting in children and young people's needs being more fully met in line with their entitlements.

This will enable the Tribunal to continue to take a more holistic view of the needs of the child across education, health and care while the cross-government SEND Review completes its important work. We know systemic change is needed across education, health and care if we are to improve outcomes, and better prepare young people with SEND effectively for adult life. The Covid pandemic has inevitably slowed the pace of the crucial SEND Review, but more importantly, as Ofsted has recently identified, it has materially changed the context the SEND system is operating in. We need to take the time to get this right and to ensure we are designing a system which is protected against unintended consequences. We will continue to work closely with sector and system leaders at pace over the coming

months, so we are in a strong position to publish bold proposals for public consultation as soon as possible.

Guidance and resources on the extended powers for the SEND Tribunal for Local Authorities, Health Commissioners, parents and young people remain available - <https://www.gov.uk/government/publications/extended-powers-send-tribunal-national-trial>

The Trial will end on 31 August 2021 as planned, and the extended powers will remain in place.

Yours sincerely,

A handwritten signature in black ink that reads "Vicky Ford". The signature is written in a cursive style with a long, sweeping underline that extends to the left.

Vicky Ford MP
Parliamentary Under-Secretary of State for Children and Families