

# ITV News Regions and Nations investigation reveals true scale of shocking crisis in SEND provision across England, Wales and Northern Ireland

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## ITV News Regions and Nations investigation reveals true scale of shocking crisis in SEND provision across England, Wales and Northern Ireland

25th July sees ITV put a “Spotlight on SEND” across news regions in its network; on TV, online, on ITVX and social media

- Exclusive poll reveals over half (58%) of children with SEND have had to spend time out of school because their needs could not be met
- Nearly a third (30%) of parents have had to use the legal system to fight for provision

- 24% said they took out loans with banks and/or online lenders to pay for legal help
- National Autistic Society say this “should be a huge wakeup call” for the new Government and call for urgent reform of the SEND system
- Major charities call ITV News investigation “shocking” and a “tragedy”

## The Findings

ITV News Regions and Nations commissioned an online survey of 1,161 Parents of children and young people with special educational needs and disabilities across England & Wales. Fieldwork, carried out by Opinium, took place between 24th May and 9th July 2024.

- Over half (58%) of children with SEND have had to spend time out of school because their needs could not be met. 36% of those children spent between a month and a year out of school. 7% of those whose children had to take time out of school said their child had spent more than a year out of school because their needs could not be met.
- The poll reveals that a quarter (27%) of parents of SEND children would rate their provision and support as poor.
- Nearly a third (30%) said they’d had to use the legal system to get the provision their young person needed.
- Of those parents that used the legal system, 43% spent between £1,000 and £5,000 on legal fees. Shockingly, nearly a third (29%) of parents who’ve used the legal system had to spend between £5,000 and £50,000 on legal costs.
- Of the parents that went down the legal route, almost half (47%) revealed they paid for these costs by using their savings, while just over a quarter (24%) said they took loans out with banks and/or online lenders.
- **Regional breakdowns available below**

**Along with the research, the investigation also gathered data through Fol responses from over 100 councils which reveals:**

- Across England the number of appeals lodged against councils over improper SEND provision rose by 80% between 2021 - 2023, as of May 2024
- Of these appeals, the number ending up in tribunal rose by 46%
- As of May 2024, 20834 children across England were awaiting assessment for an Education, Health and Care Plan.
- 4407 children across England with EHC plans were waiting for school places, as of May 2024

- **Regional breakdowns available below**

## **Spotlight on SEND - The story**

Exclusive research for ITV News Regions and Nations reveals the cost and consequences of an education system that's failing some of the most vulnerable children in society.

In a far-reaching investigation, ITV News' exclusive poll combined with its largest-ever Freedom of Information project reveals:

- A third of parents (30%) have had to use the legal system to get their children the right provision
- Over half of children with SEND (58%) have had to take time out of school because their needs could not be met
- The number of parents appealing over improper provisions is rising
- Councils are spending millions fighting parents in the courts - only to lose most cases

NHS England advises that a child or young person has special educational needs and disabilities if they have a learning difficulty and/or a disability that means they need special health and education support in school. If a child needs extra health and education support, an application can be made for an Education, Health and Care plan (EHCP) to their local council.

Every parent applying for an EHC plan, which is a legally binding document setting out the provision a child with SEND needs, can appeal against the outcome of that process. This could mean that the local authority has decided not to offer extra provision, or where there is a disagreement about the provision set out in the plan - such as a child with SEND being given a mainstream school place.

Many families are being forced to take their appeal all the way to the First Tier Tribunal, pleading their case in front of a Judge.

Mel Merritt, who is Head of Policy and Campaigns at the National Autistic Society, said:

"It is families and children that are really buckling under this pressure."

"It's great that ITV are focussing a day on it, and so quickly when we've got a new government. They need to understand how big a problem this is. This is a really poorly funded, chronic need out there."

"This should be a huge wake up call for just how broken the system is, and we need to return to having a system where if you have a special educational need you can get the support you need."

ITV News Nations and Regions submitted Freedom of Information requests to councils across England and Wales, and the education authority in Northern Ireland - and received responses from over 100 councils revealing the scale of the problem.

Cllr Louise Gittins, Chair of the Local Government Association said:

"In councils we want the very best for all of our children and young people and it's the system that is broken, and we need this government to really press forward with their promises of reforming and refunding it."

"There is a funding deficit which is set to rise to about £5 billion pounds by 2026. The number of children that are coming into the system has gone up dramatically in the last ten years by about 140%."

"The system is failing parents, we've been calling for reforms to it for several years now and we're calling for the new government to fast-track those reforms."

Katie Ghose, who is CEO of Kids, one of the Disabled Children's Partnership member charities, said:

"It's good to see ITV News doing this research, it mirrors our own research that families with disabled children are in a desperate situation, they are struggling to get their hands on support and this means their children are missing out on education and not getting access to the vital therapies they need to thrive."

"The desperate situation of families with disabled children who are struggling to get their hands on the vital support their children need, needs all the attention that we can give it, so it's good to see this new research"

From Good Morning Britain, through ITV News lunchtime bulletins across the nations and regions, on ITV's flagship 6pm programmes and the late bulletins - ITV News will hear from parents who have been forced to wait for years for the most basic provision, pushed to the brink of mental and financial collapse. Our teams will tell human stories of the collapse of a system which is designed to help our most vulnerable.

Online, ITV News will provide in-depth analysis and an interactive map, giving viewers access to data by area. On ITVX, ITV News will be highlighting the most

powerful stories on the UK's only streaming platform offering on demand news.

In Wales, where the devolved government has responsibility for education, ITV Cymru Wales News will put a "Spotlight on ALN (Additional Learning Needs)" to reflect the difference between the systems in each country.

In Northern Ireland, UTV will focus on the crisis facing parents, and the education authority failing to meet the needs of children on time.

On ITV News social media feeds, ITV will feature stories of people on TikTok, X, Instagram and Facebook.

The ITV News 'What You Need to Know' podcast will hear from correspondents who have embedded themselves in the story, offering extra analysis of this developing crisis.

This coverage sees ITV News come together across its news nations and regions teams with a focus on one story, painting a nationwide and local picture on the crisis in SEND provision.

Guy Phillips, Editor, ITV Regional News said:

"This is a great example of how ITV News across the Regions and Nations can come together to focus attention on one single issue - and a very important one. The results of our extensive survey and FOIs show that thousands of parents of SEND children are facing daily battles just to get a decent education for their child - with many finding themselves in the legal system to do so.

"Our coverage stretches across multiple platforms - from TV to social media - and will help many parents and others be part of the discussion and debate about what needs to be done to improve the SEND provision for countless families across the UK. "

[end]

### **Notes to Editors:**

**ITV News Regions and Nations commissioned an online survey of 1,161 Parents of children and young people with special educational needs and disabilities across England & Wales. Fieldwork, carried out by Opinium, took place between 24th May and 9th July 2024.**

***Opinium is an award-winning insight agency with teams in London, New York, Amsterdam, Cape Town and with global reach.***

**ITV News also asked councils for information on (requests sent in May 2024)**

***1. How many children with EHC plans are currently waiting for a school place in your council area?***

***2. How many children are awaiting assessment for an EHCP in your council area?***

***3. How many appeals were undertaken in the years of 2021, 2022 and 2023?***

***4. How many of these appeals ended up at tribunal, broken down by the years 21, 22, 23?***

***5. How many SEN appeals were upheld/partially upheld in favour of the council, broken down by the years 21, 22, 23?***

***6. How much was spent by the council on the SEN appeals process in the years of 2021, 2022, and 2023? This includes appeals that went to tribunal, and those which were settled before tribunal was necessary. It should also include a breakdown of legal fees where possible.***

***7. How many SEN appeals are currently on your authority's caseload? This includes appeals which are yet to go to tribunal, appeals which are at tribunal stage, and any other appeals which are outstanding***

## **REGIONAL BREAKDOWNS**

### **ANGLIA**

In the ITV News Anglia region, which covers the East of England and Northamptonshire, the number of appeals rose by at least 70% from 1324 to 2252 between the years of 2021-2023.

The number of tribunals in the Anglia region rose by 31% from the years 2021-2023 - up from 432 to 565.

Councils won or partially won only 18% of those tribunals.

Across the three years of 2021-2023, councils who responded to our freedom of information request in the Anglia region spent nearly £2.9 million pounds on costs

associated with tribunals.

Cambridgeshire County Council spent £910,352.75, Essex County Council spent £939,104 and West Northamptonshire Council spent £874,912.75 from 2021-2023.

As of May 2024, our figures show that there were 5,239 children awaiting assessment for additional support in school, and 973 waiting for a place in school.

## **ANGLIA POLL**

In our exclusive poll of parents of children with special educational needs we found that over a third (35%) said they would rate the service they get as poor. 35% said it was good.

Over a quarter (26%) said they didn't feel that their child gets everything they're entitled to in their EHCP. 69% said they did get everything.

55% of respondents in the Anglia region said their child had had to take time out of school because their needs could not be met. Of those, 43% said their child had been out of school for between a month and a year.

28% of parents said they had used the legal system to get the SEND provision their child needed. Of those, 29% said they had to spend between £5,000 and £50,000 on legal costs.

Of the parents that went down the legal route, almost half (47%) revealed they paid for these costs by using their savings, while just under a quarter (23%) said they took loans out with banks and/or online lenders.

34% of parents said they had seen a negative impact on their mental health as a result of inappropriate provision. 39% of parents said they had seen a negative impact on their child or young person's mental health as a result of inappropriate SEND provision.

## **BORDER**

In the ITV News Border region which covers Cumbria and Southern Scotland the number of appeals against English councils rose by 27%, up from 26 to 33. The number of tribunals fell by 60% from 5 to 2.

As of May 2024, our figures show that there were 411 children awaiting assessment for additional support in school. In the Cumberland Council area 249

children were waiting for assessment and in the Westmorland and Furness area 162 were waiting.

## **CENTRAL**

In the ITV News Central region, which covers the East and West Midlands, the number of appeals rose by at least 53% from 1258 to 1926 between the years of 2021-2023.

The number of tribunals in the Central region rose by 16% from the years 2021-2023 - up from 281 to 325.

Councils won or partially won only 23% of those tribunals.

As of May 2024, our figures show that there were 4,975 children awaiting assessment for additional support in school, and 1,333 waiting for a place in school.

## **CENTRAL POLL RESULTS**

In our exclusive poll of parents of children with special educational needs we found that nearly 1 in 3 (32%) said they would rate the service they get as poor. 39% said it was good.

Just over a quarter of people in the Central region (26%) said they didn't feel that their child gets everything they're entitled to in their EHCP. 64% said they did get everything.

54% of respondents in the Central region said their child had had to take time out of school because their needs could not be met. Of those, 36% said their child had been out of school for between a month and a year.

30% of parents said they had used the legal system to get the SEND provision their child needed. Of those, 32% said they had to spend between £5,000 and £50,000 on legal costs.

Of those who went down the legal route, 2 in 5 had to fund these costs by using their savings (40%), while 20% said they had to borrow from banks, credit unions and/or online lenders to pay for it.

32% of parents said they had seen a negative impact on their mental health as a result of inappropriate provision. 36% of parents said they had seen a negative impact on their child or young person's mental health as a result of inappropriate SEND provision.



## **CALENDAR**

In the ITV News Calendar region, which covers Yorkshire and Lincolnshire, the number of appeals rose by at least 102% from 471 to 950 between the years of 2021-2023.

The number of tribunals in the Calendar region rose by 155% from the years 2021-2023 - up from 53 to 135.

Councils won or partially won only 9% of those tribunals.

Across the three years of 2021-2023, councils who responded to our freedom of information request in the Calendar region spent nearly a million pounds (£911,613.43) on costs associated with tribunals. Barnsley Council spent a nearly third of this across those three years, totalling £320,444. Sheffield council spend more at £328,346.55.

As of May 2024, our figures show that there were 2,887 children awaiting assessment for additional support in school, and 376 waiting for a place in school.

## **CALENDAR POLL**

In our exclusive poll of parents of children with special educational needs we found that over a quarter (27%) said they would rate the service they get as poor. 44% said it was good.

Over a quarter of people in the Calendar region (26%) said they didn't feel that their child gets everything they're entitled to in their EHCP. 67% said they did get everything.

55% of respondents in the Calendar region said their child had had to take time out of school because their needs could not be met. Of those, 33% said their child had been out of school for between a month and a year.

25% of parents said they had used the legal system to get the SEND provision their child needed. Of those, 25% said they had to spend between £5,000 and £50,000 on legal costs.

Of those who went down the legal route, 42% had to fund these costs by using their savings, while 22% said they had to borrow from banks, and/or credit unions or online lenders to pay for it.

29% of parents said they had seen a negative impact on their mental health as a result of inappropriate provision. 27% of parents said they had seen a negative impact on their child or young person's mental health as a result of inappropriate SEND provision.

## **GRANADA**

In the ITV News Granada Reports region, which covers Manchester, North West England and the Isle of Man, the number of appeals rose by at least 175% from 303 to 833 between the years of 2021-2023.

The number of tribunals in the Granada region rose by 87% from the years 2021-2023 - up from 211 to 394.

Councils won or partially won only 16% of those tribunals.

As of May 2024, our figures show that there were 2,383 children awaiting assessment for additional support in school, and 420 waiting for a place in school.

## **GRANADA POLL RESULTS**

In our exclusive poll of parents of children with special educational needs we found that almost 1 in 5 (18%) said they would rate the service they get as poor. 49% said it was good.

One fifth of respondents in the Granada region (19%) said they didn't feel that their child gets everything they're entitled to in their EHCP. 65% said they did get everything.

Two thirds (67%) of respondents in the Granada region said their child had had to take time out of school because their needs could not be met. Of those, 31% said their child had been out of school for between a month and a year.

A third (33%) of parents said they had used the legal system to get the SEND provision their child needed. Of those, 29% said they had to spend between £5,000 and £50,000 on legal costs.

Of those who went down the legal route half had to fund these costs by using their savings (50%), while 19% said they had to borrow from banks, and /or credit unions or online lenders to pay for it.

35% of parents said they had seen a negative impact on their mental health as a result of inappropriate provision. 33% of parents said they had seen a negative

impact on their child or young person's mental health as a result of inappropriate SEND provision.

## **LONDON POLL RESULTS**

In our exclusive poll of parents of children with special educational needs we found that 1 in 5 (20%) said they would rate the service they get as poor. 50% said it was good.

Nearly a quarter of respondents in the ITV London region (24%) said they didn't feel that their child gets everything they're entitled to in their EHCP. 68% said they did get everything.

Nearly two thirds (64%) of respondents in the London region said their child had had to take time out of school because their needs could not be met. Of those, 38% said their child had been out of school for between a month and a year.

36% of parents said they had used the legal system to get the SEND provision their child needed. Of those, 35% said they had to spend between £5,000 and £50,000 on legal costs.

Of those who went down the legal route, over half (58%) had to fund these costs by using their savings, while 30% said they had to borrow from banks and/or credit unions or online lenders to pay for it.

28% of parents said they had seen a negative impact on their mental health as a result of inappropriate provision. 32% of parents said they had seen a negative impact on their child or young person's mental health as a result of inappropriate SEND provision.

## **MERIDIAN**

In the ITV News Meridian region, which covers Oxford, Thames Valley and the South Coast, the number of appeals rose by at least 95% from 569 to 1109 between the years of 2021-2023.

The number of tribunals in the Meridian region rose by 81% from the years 2021-2023 - up from 119 to 215.

Councils won or partially won only 31% of those tribunals.

As of May 2024, our figures show that there were 2,347 children awaiting assessment for additional support in school, and 418 waiting for a place in school.

## **MERIDIAN POLL**

In our exclusive poll of parents of children with special educational needs we found that over a quarter (28%) said they would rate the service they get as poor. 39% said it was good.

Over a quarter in the Meridian region (27%) said they didn't feel that their child gets everything they're entitled to in their EHCP. 61% said they did get everything.

51% of respondents in the Meridian region said their child had had to take time out of school because their needs could not be met. Of those, 39% said their child had been out of school for between a month and a year.

27% of parents said they had used the legal system to get the SEND provision their child needed. Of those, 30% said they had to spend between £5,000 and £50,000 on legal costs.

Of those who went down the legal route, half (54%) had to fund these costs by using their savings, while 21% said they had to borrow from banks, and/or credit unions or online lenders to pay for it.

47% of parents said they had seen a negative impact on their mental health as a result of inappropriate provision. 47% of parents said they had seen a negative impact on their child or young person's mental health as a result of inappropriate SEND provision.

## **TYNE TEES**

In the ITV News Tyne Tees region, which covers Newcastle, the North East of England and North Yorkshire, the number of appeals rose by at least 46% from 214 to 313 between the years of 2021-2023.

The number of tribunals in the Tynes Tees region rose by 215% from the years 2021-2023 - up from 46 to 145.

Councils won or partially won only 5% of those tribunals.

Across the three years of 2021-2023, councils who responded to our freedom of information request in the Tyne Tees region spent more than a quarter of a million pounds (£270,339) on costs associated with tribunals. North Yorkshire Council spent £92,038 and Redcar and Cleveland Council spent £43,346 across those three years.

As of May 2024, our figures show that there were 937 children awaiting assessment for additional support in school, and 413 waiting for a place in school.

## **TYNE TEES POLL**

In our exclusive poll of parents of children with special educational needs we found that a quarter (25%) said they would rate the service they get as poor. 40% said it was good.

Over a quarter in the Tyne Tees region (26%) said they didn't feel that their child gets everything they're entitled to in their EHCP. 57% said they did get everything.

Three fifths (60%) of respondents in the Tyne Tees region said their child had had to take time out of school because their needs could not be met. Of those, 37% said their child had been out of school for between a month and a year.

35% of parents said they had used the legal system to get the SEND provision their child needed. Of those, 25% said they had to spend between £5,000 and £50,000 on legal costs.

Of those who had to go down the legal route 39% had to fund these costs by using their savings, while 34% said they had to borrow from banks, and/or credit unions or online lenders to pay for it.

27% of parents said they had seen a negative impact on their mental health as a result of inappropriate provision. 27% of parents said they had seen a negative impact on their child or young person's mental health as a result of inappropriate SEND provision.

## **UTV FINDINGS**

In Northern Ireland the difficulties around statementing and crucially the allocation of SEN school placements remains a persistent problem.

It's a topic which UTV investigates regularly but unlike other parts of the UK, these processes are centralised through the Education Authority.

As part of ITV News Regions and Nations' "Spotlight on SEND" UTV obtained a report which was compiled by one of the biggest campaign groups in Northern Ireland, SEN Reform NI,

a group which calls for change in the sector.

The report which was made up of 436 responses showed that 66% of respondents rated the effectiveness of communication with the Education Authority as "very poor" (43%) or "poor" (23%). It showed that only 48% of respondents received their child's final statement within

the statutory 26-week timeframe and pointed to a dissatisfaction with the conditions of SEN units within mainstream schools. Parents in mainstream settings cited lack of staff training, inadequate support, and challenges with inclusion

UTV hold Chris Quinn, the Children's Commissioner, to account and ask what needs to be done in order to overhaul a system which remains dysfunctional.

At point of writing over one hundred children throughout Northern Ireland had still not received a primary school place for the coming September...and parents say they fear that their children could pay the price of a system straining under pressure.

## **WALES POLL**

In our exclusive poll of parents of children with additional learning needs we found that a quarter (25%) said they would rate the service they get as poor. 43% said it was good.

Nearly a third of people in Wales (31%) said they didn't feel that their child gets everything they're entitled to in their IDP. 63% said they did get everything.

50% of respondents in Wales said their child had had to take time out of school because their needs could not be met. Of those, 17% said their child had been out of school for between a month and a year.

15% of parents said they had used the legal system to get the ALN provision their child needed.

37% of parents said they had seen a negative impact on their mental health as a result of inappropriate provision. 33% of parents said they had seen a negative impact on their child or young person's mental health as a result of inappropriate ALN provision.

## **WEST COUNTRY**

In the ITV News West Country region, which covers the South West of England, the number of appeals rose by at least 90% from 719 to 1364 between the years

of 2021-2023.

The number of tribunals in the West Country region rose by 18% from the years 2021-2023 - up from 401 to 473.

Councils won or partially won only 17% of those tribunals.

Across the three years of 2021-2023, councils who responded to our freedom of information request in the West Country region spent nearly half a million pounds (£487, 593.35) on costs associated with tribunals. While many councils didn't record this figure, or didn't provide it, Devon County Council spent £237,744 and Gloucestershire County Council spent £190,505 across those three years.

As of May 2024, our figures show that there were 1655 children awaiting assessment for additional support in school, and 469 waiting for a place in school.

## **WEST COUNTRY POLL**

In our exclusive poll of parents of children with special educational needs we found that over a quarter (27%) said they would rate the service they get as poor. 37% said it was good.

Over a third of people in the West Country region (37%) said they didn't feel that their child gets everything they're entitled to in their EHCP. 51% said they did get everything.

58% of respondents in the West Country region said their child had had to take time out of school because their needs could not be met. Of those, nearly half (47%) said their child had been out of school for between a month and a year.

31% of parents said they had used the legal system to get the SEND provision their child needed. Of those, 27% said they had to spend between £5,000 and £50,000 on legal costs.

Of those who went down the legal route 48% had to fund these costs by using their savings, while 22% said they had to borrow from banks, and/or credit unions or online lenders to pay for it.

50% of parents said they had seen a negative impact on their mental health as a result of inappropriate provision. 67% of parents said they had seen a negative impact on their child or young person's mental health as a result of inappropriate SEND provision.

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