



2019-00MDPO

Michelle Donelan MP

Parliamentary Under-Secretary of State for Children and Families

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To: Directors of Children's Services in England

4 November 2019

Dear Directors,

EXTENDING THE SPECIAL EDUCATIONAL NEEDS AND DISABILITY TRIBUNAL TRIAL

I am writing to set out my plans to extend the current Trial of the Special Educational Needs and Disability (SEND) Tribunal. The Trial, which was due to run until 31 March 2020, will be extended until 31 August 2020.

As you may know, we began the Trial in April 2018, and it was due to conclude at the end of March 2020. The Trial provides extended powers for the SEND Tribunal to hear, and make non-binding decisions about, appeals relating to health and social care aspects of Education, Health and Care (EHC) plans. The Trial provides a simpler route for parents and young people to resolve disagreements and to provide a further lever to bring education, health and social care services together at a local level.

We are conducting an evaluation of the Trial, through IFF Research, and expect to receive a report by February 2020. This evaluation is, of course, necessary to inform our decision about whether the provisions in the Trial should be made mandatory for all local areas once the Trial is complete.

I am extending the Trial until the end of August 2020 for the following reasons:

- We will need to decide a way forward, once we have a finalised evaluation report in February 2020. We're unlikely to be able to conclude our consideration of the evaluation, and make a decision about the way forward, until at least March/April 2020.
- Local areas will need time to plan for whatever decision we take about the future of the SEND Tribunal arrangements. Allowing local areas until the end of August 2020 to implement a decision made by Easter 2020 should provide sufficient time for you to do this.

We are updating our Guidance on the Trial, which is available here:

<https://www.gov.uk/government/publications/extended-powers-send-tribunal-national-trial>. Included in the Guidance are updated arrangements for local authority claims for costs associated with Trial cases. May I take this opportunity to thank you for responding so positively to the Trial, including contributing to its evaluation.

We will be circulating this letter via a range of Departmental and partner networks. I would be grateful if you could arrange for this information to be circulated widely in your local areas, in particular to young people with SEND and to parents of children with SEND.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Michelle Donelan', with a stylized flourish at the end.

Michelle Donelan MP
Parliamentary Under-Secretary of State for Children and Families