



**Vicky Ford MP**

Parliamentary Under-Secretary of State for Children and Families

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TO DIRECTORS OF CHILDREN'S SERVICES,

### **SPECIAL EDUCATIONAL NEEDS AND DISABILITY (SEND) TRIBUNAL TRIAL**

I am writing to update you on next steps regarding the SEND Tribunal Trial.

As you are aware, the SEND Tribunal Trial began in April 2018. It included new powers for the Tribunal to hear, and make non-binding recommendations in respect of, appeals relating to health and social care aspects of Education, Health and Care (EHC) plans, provided that appeal also included an education element. Originally due to end in March 2020, in autumn 2019 we decided to extend the Trial until 31 August 2020.

The current planned end date for the Trial is fast approaching. Given the understandable pressures local areas are under as a result of coronavirus, I do not think this is a time to introduce any changes to this policy nor to make any firm decisions about whether the existing Trial provisions should be adopted in perpetuity. I am therefore taking the decision to extend the Trial until at least 31 August 2021.

Over the next few months, we will restart work on evaluating the Trial, the fieldwork for which had to be paused as a result of the pandemic. This will provide the evidence necessary to make an informed decision about the way ahead. It is also important that any decision about the Trial is taken within the context of the SEND Review which is still underway. I expect to be in a position to revisit a decision about the Tribunal Trial no later than early spring 2021 and I will provide a further update at that time.

I hope you understand the rationale for my decision. In reaching it, my officials spoke to a range of SEND sector organisations, parents and those representing local authorities, and listened carefully to what they told us. I am sure everyone would agree that these are extraordinary circumstances, and I recognise that so many people are working exceptionally hard to manage them as best they can for which I am extremely grateful. Given this context, I do not believe it is fair to make any changes to policy that do not need to be made right now, unnecessarily adding to people's burdens

Yours sincerely,

**Vicky Ford MP**

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