

Voluntary Organisations Disability Group | SEND Consultation Response

VODG welcomes the opportunity to respond to the Government's consultation on SEND reform

We represent more than 145 values-based organisations that support over one million disabled people, including children and young people with SEND, to live full and independent lives. Across our membership there is a whole ecosystem of services for disabled children and young people, and the future of the SEND system is a priority issue for us and those we represent.

We broadly welcome the direction of travel set out in the consultation and recognise the genuine ambition behind these reforms. Our response reflects the strong and consistent view of our members that ambition must be matched by investment, that the voluntary, community, faith and social enterprise (VCFSE) sector must be recognised as an essential partner in delivery, and that the legal protections underpinning the rights of children, young people and their families must not be weakened in the process.

The following sets out VODG's emerging thinking in response to the consultation questions, drawing on the expertise and experience of our membership.

Consultation Questions

Q1. How can we make sure children, young people and their families have a genuine say in decisions about SEND, both locally and nationally?

- Genuine participation must mean much more than consultation. Children, young people, carers and families must be active co-producers of the decisions that affect them — involved from the outset, not presented with proposals after the fact. This principle must be embedded in how the new system is designed, commissioned and reviewed at every level.
- VODG members consistently demonstrate that the voluntary and community sector plays a distinctive and irreplaceable role in making this happen in practice. VCFSE organisations have trusted, long-term relationships with families — including those who have been failed by, or even distrust, statutory services. They are often the first point of contact for families navigating a complex system and are best placed to ensure that the voices of those who are

hardest to reach are genuinely heard. This role must be explicitly recognised and resourced within the new framework.

- A commitment to family and young people's voice is only meaningful if it is backed by robust legal protections. Legal safeguards must be strengthened, not weakened, as part of these reforms. Without them, the right to participate becomes aspirational rather than real — families need to know that if their voice is ignored, there is a meaningful and accessible route to redress.

Q2. How can we make sure that high-quality evidence and best practice inform decisions about SEND?

- One of the most significant gaps in the current system is the near-total absence of aggregated data on young people transitioning from children's to adult services — numbers, profiles, destinations and outcomes are simply not captured systematically. VODG members routinely collect relevant data across their organisations and we would welcome the opportunity to work with government to pool this into a meaningful shared evidence base. The VCFSE sector more broadly is an under-utilised source of practice-based evidence and must be explicitly included in how evidence is gathered, validated and shared.
- Evidence frameworks must be built around lived experience and presenting need, not clinical diagnosis. There is a real risk that if frameworks default to diagnostic categories, the need-not-diagnosis principle that must be central to these reforms is undermined from the outset.
- The challenge is not a lack of evidence — the same problems have been documented since 2004 and NICE guidance from 2016 identifies the same issues families are raising today. It is a lack of accountability. Any new evidence framework must be linked to clear consequences when that evidence is ignored, otherwise it risks becoming another well-documented record of a system that knows what good looks like but does not deliver it.

Q3. How can we ensure children are best supported by the Universal offer?

- The Universal offer will only be as strong as the ecosystem of support that delivers it — and that ecosystem must include the voluntary and community sector. VODG members deliver universal and community-based support that complements what schools provide, reaching children and families that statutory settings often do not. The not-for-profit dividend is directly relevant here — VCFSE organisations bring lived experience, family support and mission-driven accountability that statutory settings often cannot replicate. Commissioners must engage the full breadth of available support, including VCFSE providers, if the Universal offer is to be genuinely universal in practice.

- There is a risk that requires active mitigation — that "universal" becomes a reason to withdraw or delay specialist support rather than a genuine foundation of inclusive provision. The need-not-diagnosis principle must apply at every layer of the system. A child whose needs are not being met by the Universal offer must be able to move to more intensive support quickly, without having to fight for it.
- Underpinning all of this is workforce. The Universal offer is only as good as the staff delivering it. Mandatory, properly funded SEND training across all relevant staff — not just specialist SEND practitioners — is foundational to making this layer work. Without it, the ambition for inclusion will not be realised regardless of what the framework says on paper.

Q4. How can we ensure children in the Targeted layer are best supported?

- VODG members deliver targeted interventions across a wide range of settings and needs, and the not-for-profit sector's community roots make it well placed to deliver this layer effectively. The central structural barrier is familiar — siloed budgets and a lack of integrated commissioning across health, care and education. Targeted support by definition requires a joined-up response, and statutory accountability for joint working is essential if the Targeted layer is to function as intended.
- There is a concern that must be named clearly. Targeted support must not become a cost-cutting mechanism — a way of moving children away from specialist provision under the guise of a more inclusive approach. The threshold between layers must be genuinely needs-led and kept under review. Members are already reporting children falling between layers of support, unable to access targeted provision but no longer receiving the specialist support previously in place. This must not become a structural feature of the new system.
- The Individual Support Plan (ISP) duty for colleges remains under consultation and VODG's position is clear — it should be made statutory. Consistency across the post-16 sector is essential if young people with SEND are to receive the targeted support they need as they move through education and into employment.

Q5. How can we ensure children in the Targeted Plus layer are best supported?

- The Experts at Hand programme sits within this layer and VODG broadly welcomes the investment. However, the VCFSE sector is currently absent from the consultation's framing of who will deliver this offer, despite being ideally placed to do so in many communities. Outreach, family support and community connection are the distinctive strengths of not-for-profit providers — precisely the qualities that make Targeted Plus work in practice. The VCFSE sector must

be explicitly named as part of the delivery model, and commissioning frameworks must create a genuine and level playing field for voluntary sector providers.

- The structural barriers are familiar. Siloed budgets, a lack of statutory accountability for joint working, and differing eligibility criteria across health, care and education all undermine the coordinated, wraparound support that Targeted Plus is designed to provide. These barriers will not be resolved by goodwill alone — they require statutory duties, shared accountability and, where necessary, pooled commissioning.
- There is also a wider concern about capacity. Local authorities will be central to commissioning this offer, but at a time of significant financial pressure and local government reorganisation, there are real questions about whether councils have the knowledge and expertise to do this well. Government must provide not just funding but active support and guidance to ensure commissioning practice matches the ambition of the reforms.

Q6. How can we ensure children in the Specialist layer are best supported?

- The most fundamental concern is this: reducing the number of EHCPs will not reduce the level of need among children and young people. Need is not a function of paperwork. If the reduction in EHCPs is driven by cost rather than a genuine assessment of what children require, it is short-sighted — the need for intervention does not disappear because the documentation changes. Specialist provision must be protected and properly funded, and any changes to EHCP eligibility must be needs-led, transparent and subject to genuine independent scrutiny.
- VODG members delivering specialist provision represent something distinctive and irreplaceable. The not-for-profit dividend is strongest at this layer — specialist provision built up over decades through historical charitable investment, with surpluses reinvested into provision and deep roots in local communities. Specialist Provision Packages must be designed with sufficient flexibility to reflect the complexity and individuality of need at this layer, with the need-not-diagnosis principle central to their design. VCFSE specialist providers must be part of the expert panels developing them.
- Finally, the use of the term "complex" requires careful handling. Members have raised a consistent concern that this terminology risks becoming a tool for schools and local authorities to push children away from provision rather than a meaningful descriptor of need. The reforms must be clear about what "complex" means in practice and must include safeguards against its misuse.

Q7. How can early years settings, schools and colleges best support mental health and wellbeing?

Q8. Do you agree the refreshed 'areas of development' will support educators?

Q9. What arrangements would best support joint working between early years providers, Family Hubs, health, local authorities and parents?

- Effective joint working in the early years has been a stated goal of successive governments for decades. What has consistently prevented it from becoming a reality is the absence of structural accountability. Good relationships between individual practitioners are not sufficient — joint working must be underpinned by statutory duties, shared accountability and consequences when collaboration fails to happen. VODG's [Reframing Commissioning](#) principles set out how these conversations can be conducted differently, and we would welcome the opportunity to discuss how these could inform commissioning arrangements for the early years.
- The VCFSE sector's role in Family Hubs and early years is significantly under-recognised in the current proposals. VODG members are embedded in communities and often have established, trusted relationships with families long before statutory services become involved. They provide the kind of informal, accessible support that statutory services find hard to replicate and must be recognised as genuine partners in joint working arrangements, not simply referral destinations.
- There is also a legitimate question about capacity. Local authorities will be central to leading joint working, but at a time of significant financial pressure and local government reorganisation, government must ensure that councils have the knowledge, expertise and resource to do this well. Without that assurance, the risk is that joint working becomes another aspiration that varies enormously depending on where a family happens to live.

Q10. How can the EYFS two-year check and Healthy Child Programme review be improved?

Q11. What should the top three priority areas be for building and sharing evidence within the National Inclusion Standards?

- VODG would identify transitions as the first priority. There is almost no aggregated data on young people moving from children's to adult services — numbers, profiles, destinations and outcomes are simply not captured systematically. VODG members routinely collect relevant data and we would welcome the opportunity to work with government to pool this into a shared evidence base. Second, need-led outcomes — evidence frameworks must

capture the outcomes that matter most for children and young people with SEND, including independence, wellbeing and community participation, not just those that are easiest to measure through existing educational metrics. Third, VCFSE practice — the voluntary sector is an underutilised source of evidence about what works, and the National Inclusion Standards should include an explicit mechanism for drawing on and disseminating practice-based evidence from across the sector.

Q12. What are the most important issues for national training to cover?

- Workforce is foundational — no reform of the SEND system will succeed if the people delivering it do not have the knowledge, skills and confidence to do so. Training must be mandatory and properly funded across all relevant staff, not just specialist SEND practitioners. SEND must be treated as a shared responsibility across every part of the system, not a specialism confined to those with dedicated roles.
- Training must extend beyond the school gates. VODG's distinctive contribution is to highlight the workforce beyond education — care and support staff, community workers and VCFSE practitioners who work with children and young people every day but are frequently overlooked in workforce development conversations. Any national programme must reflect the full range of people who deliver support.
- Critically, training must include how to work with, refer to and commission VCFSE providers — one of the most consistent barriers our members encounter is that statutory practitioners do not understand what the voluntary sector offers or how to access it. Training must also cover communication — how to engage effectively with children, young people and families with SEND, including those who communicate differently or for whom English is not a first language. This is not a soft skill; it is the foundation on which everything else rests.

Q13. What practical actions can help teachers, educators and leaders manage workload whilst implementing these changes?

Q14. How should the SENCO role evolve?

Q15. What would provide assurance for families that an ISP will be high-quality?

- VODG's longstanding position is that every child should have a written record of the support they need, and we therefore welcome the principle behind ISPs. However, quality assurance depends entirely on what ISPs contain and what happens when they are not delivered. Co-production must be the foundation — families and young people must shape the ISP from the outset, not be presented with a plan developed by professionals and asked to sign it off. VCFSE

organisations, with their trusted relationships with families, are well placed to provide independent support and assurance throughout this process.

- The legal framework around ISPs must be robust. As a member of the Disabled Children's Partnership, VODG aligns with DCP's position that ISPs must not mean a dilution of rights for those with an EHCP. The specific concern that where a child holds both an EHCP and an ISP, education support may not be legally challengeable in the same way as health and social care elements, represents a significant gap in protection that must be resolved before the reforms are implemented.
- The assurance families need is not just that an ISP will be well-written — it is that if provision is not delivered, there is a meaningful and independent route to redress. Without that backstop, quality assurance frameworks risk being meaningful only for families with the knowledge and resources to navigate them unaided.

Q16. How can we ensure ISPs are clear, concise and practical for professionals to use?

- The practical usability of ISPs will be critical to whether they deliver on their promise. Design must be led by those who will use these plans in practice — and that must include VCFSE practitioners, not just statutory education staff. Data and digital systems are central to this. Done well, effective data sharing reduces duplication and saves time; done badly, it creates additional bureaucracy that falls on families as much as professionals. The design of ISPs must be accompanied by serious investment in the digital infrastructure needed to make them work across agencies and settings.
- Interoperability must be a design requirement, not an afterthought. A child whose needs span education, health and social care should not have the same information recorded multiple times in different formats. The ISP must function as a genuinely shared record across all the services involved in a child's support — and VCFSE practitioners must be included in the co-design process to ensure it works at the interfaces where voluntary sector organisations operate.

Q17. How can we best support transition for young people with SEND into post-16 provision, training or employment?

- Of all the questions in this consultation, this is the one where from our point of view the evidence is clearest, the failures most consistent and the need for decisive action most urgent.
- Across VODG's entire membership — organisations supporting young people with learning disabilities, complex health needs, life-limiting conditions, autism,

physical disabilities and multiple co-occurring needs — the transition from children's to adult services is identified without exception as one of the most significant and consistently poorly managed points in a young person's life. It is experienced by families as falling off a cliff.

- **Planning must start earlier.** The consultation proposes that transition planning should begin at least 12 months before a young person moves to post-16 provision. VODG's position, supported by the consistent experience of our members, is that this is insufficient. Planning must begin at age 14 at the latest — and for young people with the most complex needs, meaningful transition planning should begin even earlier. Twelve months is not enough time to develop the bespoke learning packages, identify appropriate provision, build relationships with new services and prepare young people and their families for what lies ahead. Members report that families are already requesting that young people remain in education for as long as possible precisely because what comes next is so uncertain and so inadequately resourced. That is not a sign of over-dependence on education — it is a rational response to a system that consistently fails to provide adequate adult support.
- **Transitions must become a statutory responsibility with real consequences for failure.** The current system has no meaningful accountability mechanism when transitions go wrong. Local authorities, health services and adult social care can each point to the others when a young person falls through the gap, and families are left to navigate the consequences alone. VODG's position is clear: there must be statutory duties on Directors of Adult and Children's Services to coordinate transitions planning, with named accountability, clear timescales and real consequences when those duties are not met. Good intentions and guidance are not enough — the evidence of two decades tells us that.
- **Employment and economic participation must be central.** Too often, transitions planning focuses on where a young person will be educated or cared for, without adequate attention to their longer-term economic participation and independence. Members identify significant systemic barriers that must be addressed as part of these reforms — including the apprenticeship levy remaining largely inaccessible for young people with complex needs, a lack of clarity in the Connect to Work programme about how it applies to this cohort, and maths and English requirements that act as inappropriate barriers to apprenticeships for young people whose skills and potential lie elsewhere. The disability employment gap is not inevitable — it is the predictable consequence of a transitions system that does not adequately prepare young people for economic life. Investment in transitions now prevents far greater crisis costs later.
- **The post-16 sector must be fully included.** VODG welcomes the government's commitment to work with colleges and local authorities on transitions, but the

detail matters. The Individual Support Plan duty for colleges must be made statutory — voluntary compliance will not deliver consistency. The Experts at Hand commissioning model must be tailored to reflect the varied size and geography of further education providers, many of whom work across multiple local authority areas and for whom a single commissioning approach will not work. The college SENCO equivalent role should also be reviewed as part of this work, to ensure that post-16 settings have the specialist leadership needed to support young people with SEND effectively.

- **The wider system must be adequately resourced.** Members report that local authorities are already seeking to reduce post-19 education provision and end plans early, in anticipation of reforms that are not due to be fully implemented until 2035. This must be addressed urgently and explicitly. The transition from education must not become another cliff edge — and it will, unless social care and integrated care boards receive significantly more funding to provide the adult support that young people need when their education ends. Specialist providers cannot plan for the future without greater certainty about the shape of the system — members report being unable to commit to major capital investment and long-term development decisions because the direction of travel remains unclear. This uncertainty has real and immediate costs for the sector's capacity to deliver.
- The reforms set out a genuine ambition for a better transitions system. VODG shares that ambition. But ambition must be matched by statutory accountability, adequate resourcing and a genuine commitment to involving the voluntary sector — which holds much of the expertise, the community relationships and the long-term trust of families that will be needed to make it work.

Q18. How can we make sure every area can meet the full range of needs through Inclusion Bases?

- VODG broadly welcomes the investment in Inclusion Bases and the principle behind them. However, whether they deliver on their potential will depend almost entirely on how they are commissioned. VCFSE specialist providers are currently absent from the consultation's framing of who will deliver and operate Inclusion Bases, despite being ideally placed to do so in many communities. If commissioning frameworks default to statutory or for-profit providers, a significant opportunity will be missed. Procurement processes must be designed to enable community-based organisations to compete on a genuine level playing field.
- In some areas, VCFSE specialist providers already deliver provision that could be recognised and resourced as Inclusion Bases. The opportunity to build on what already exists, rather than commission from scratch, should be actively

pursued — and commissioning frameworks should be designed to make this straightforward rather than to inadvertently favour new provision over established community expertise.

Q19. How can we make sure Inclusion Bases help children and young people succeed in mainstream settings?

Q20. What arrangements are needed to deliver the Experts at Hand offer effectively?

- The Experts at Hand programme is a significant and welcome investment, but its success will depend on the arrangements through which it is delivered. The most important change needed is straightforward: the VCFSE sector must be explicitly named as part of the delivery model. It is currently absent from the consultation's framing despite the fact that many VODG members already employ or commission exactly the kinds of specialists this programme intends to embed. Community-based VCFSE organisations are often better placed than statutory services to reach families who are hard to engage and to maintain the consistent, trusting relationships that make specialist input effective.
- The structural barriers must be addressed. Siloed budgets and the absence of statutory accountability for joint working are the central obstacles — without pooled commissioning authority and shared accountability, the programme risks replicating the fragmentation of the current system. There is also a genuine concern about local authority capacity to commission this offer effectively, particularly given devolution and wider reorganisation. Government must provide active support and guidance, not just funding, to ensure equitable delivery across all areas.
- The post-16 model requires specific attention. Colleges vary enormously in size and often operate across multiple local authority areas — a single commissioning approach will not work across the FE sector. Government must work with post-16 providers to design a tailored model that reflects this reality.

Q21. What needs to be in place for children with low incidence, highly complex needs to always access the right specialist placement?

- The starting point must be an honest assessment of what specialist provision at this level actually costs. Members delivering support to children at the most complex end report that the level of specialist input required — therapists, nurses, specialist educators and support staff — far exceeds government benchmarks. Any commissioning framework built around minimum assumptions rather than actual need will underfund provision and ultimately cost more as unmet needs escalate.

- Not-for-profit specialist providers must be central to regional commissioning conversations for this cohort. There is a well-founded concern that regional models will default to large, established for-profit providers — partly because of scale and procurement processes that favour it, and partly because commissioning frameworks are not designed to distinguish between provider types. Commissioners must be required to actively consider not-for-profit providers, and procurement processes must be redesigned accordingly.
- There is also a specific concern about eligibility thresholds. Members have raised a consistent worry that some children who currently require EHCPs may no longer qualify under the new system despite their needs remaining unchanged. The threshold for specialist support must be genuinely needs-led and independently scrutinised — any change to eligibility that results in children with complex needs losing access to specialist provision will have serious and lasting consequences.

Q22. How can Specialist Provision Packages be designed to effectively support the main types of need?

- Specialist providers with decades of experience must be central to designing Specialist Provision Packages — not just clinical and statutory voices. Getting the design right requires genuine dialogue with those who know this cohort best, including VCFSE organisations that deliver specialist support every day. Co-production with families and young people is equally essential — Packages must reflect the reality of living with complex needs, not just the professional assessment of them.
- Packages must be flexible enough to reflect individual need. There is a significant risk of over-standardisation — particularly if Packages are built around diagnostic categories rather than the need-not-diagnosis principle that must be central to these reforms. Standard educational metrics are also poorly suited to measuring the outcomes specialist provision delivers — independence, wellbeing and community participation are no less valuable than academic attainment but do not appear in league tables. Packages must be assessed against outcome measures that reflect what good actually looks like for this cohort.

Q23. What is needed to make the EHCP/ISP proposals work effectively?

- As a member of the Disabled Children's Partnership, VODG aligns with DCP's position that the introduction of ISPs must not mean a dilution of rights for those with an EHCP. There is a real risk that the shift from EHCPs to ISPs becomes — in practice if not in intention — a cost-cutting measure rather than a genuine improvement in support. Any transition must be needs-led and independently scrutinised. The specific concern that a child holding both an EHCP and an ISP

may find their education support less legally protected than their health and social care provision represents a serious and unresolved gap that must be addressed before implementation.

- Members report that local authorities are already seeking to end plans early in anticipation of the reforms. Robust safeguards must be in place to prevent this accelerating. Co-production must be genuine in both EHCPs and ISPs — families shaping provision, not simply consulted — and data sharing between plans must reduce rather than add administrative burden for families and practitioners alike.

Q24. How can we make the fast track route to Specialist Provision Packages for under-5s work in practice?

- VODG welcomes the early identification and intervention focus — this is a longstanding ask from our members and the evidence is clear that early support delivers better long-term outcomes. However, the fast-track route will only work if the full ecosystem of early years support is involved. VCFSE early years providers and Family Hubs must be explicitly part of the pathway — they often have established relationships with families before statutory services become involved and are frequently best placed to identify emerging needs and support families through the process.
- Information sharing between health and education must not exclude VCFSE providers. A child's needs do not respect organisational boundaries, and the professionals who know a family best are not always those within statutory services. Any fast-track assessment process must be designed to draw on the full range of knowledge available — including from voluntary sector providers — rather than defaulting to statutory sources alone.

Q25. What would you expect to be considered as part of the needs assessment?

- Assessments must be based on presenting need, not diagnostic label. The need-not-diagnosis principle must be embedded in the assessment framework from the outset — a child's entitlement to support should flow from what they need, not from whether they have received a particular clinical diagnosis. Family and young people's voices must be central to this process. Assessment must be co-production, not something done to families — parents and young people bring expertise about their own circumstances and lived experience that no professional assessment can replicate.
- VCFSE providers who know the child — including those delivering therapeutic, social care and community support — should be able to contribute evidence to assessments. This perspective is currently overlooked in statutory assessment processes despite being some of the most relevant and detailed information

available. A written record of the support needed must follow from every assessment regardless of outcome — even where a child does not qualify for an EHCP or Specialist Provision Package, their needs do not disappear and must be documented and acted upon.

- Members have also raised a consistent concern about clarity on decision-making powers. Who has authority at each stage of the assessment process, and what is the route for families who disagree with an outcome? This must be clearly defined, consistently applied and genuinely accessible — not dependent on a family's ability to navigate a complex system unaided.

Q26. What factors should LAs take into account in proposing a list of potential settings?

- Local authorities must actively consider not-for-profit VCFSE providers alongside statutory and for-profit options when proposing potential settings. Commissioning must not default to familiarity or existing frameworks that inadvertently disadvantage the voluntary sector — there is a sector-wide concern that specialist colleges and providers may not appear on funded provider lists despite being the most appropriate option for some young people, often because their needs have not been met elsewhere. There must be a clear and accessible mechanism to ensure not-for-profit specialist providers are visible to families and commissioners alike.
- Community proximity matters and should be weighted in decision-making. Local, familiar settings — where a young person can maintain existing relationships and community connections — support better outcomes and a smoother transition. The list of potential settings proposed to families must reflect genuine breadth and choice, not a managed shortlist shaped by existing commissioning relationships or cost alone.

Q27. What information and support do parents need to make decisions about settings?

- VCFSE organisations' trusted community relationships make them the most effective channel for providing independent information and navigation support to families — particularly those who distrust or have been failed by statutory services. This role must be explicitly recognised and resourced. Information provided by local authorities alone, however well-intentioned, will not reach all families or be trusted by all families — independent, community-based support is essential to ensuring that the choices available are genuinely understood and accessible.
- Information must be co-produced with families, not designed for them, and must be genuinely accessible — not assuming digital literacy, English as a first

language, or prior familiarity with a complex system. Families need genuine choice, not a managed list. The difference between those two things is significant — genuine choice means transparent information about the full range of available provision, including not-for-profit specialist options, presented in a way that supports informed decision-making rather than steering families towards particular outcomes.

Q28. What is the right maximum length of time for a temporary AP placement?

Q29. Do you agree the proposed changes to regulate Independent Special Schools will lead to suitable placements at fair cost?

- VODG welcomes the principle of greater regulation and transparency in the Independent Special Schools sector. However, any fee cap must be realistic and must fully fund the costs of delivering high-quality specialist provision. There are widespread examples across the sector where fees are not keeping up with costs — a cap that locks in underfunding would simply accelerate the financial pressures already threatening provision, with the consequences falling hardest on the children and young people who depend on it most.
- The most important distinction the reforms must make is between for-profit providers extracting surplus and not-for-profit providers reinvesting in provision. Not-for-profit specialist providers represent decades of historical charitable investment in facilities, workforce and expertise — surpluses are reinvested, accountability is mission-driven and the interests of children and young people come before financial returns. This is fundamentally different from commercial provision and must be recognised as such in how the cap is designed and applied. Commissioners must be required to actively distinguish between provider types, and procurement processes must be redesigned to remove the barriers that currently prevent commissioners from favouring not-for-profit providers even when they want to.
- The Welsh Government's moves to eliminate profit from children's social care provide a relevant and instructive precedent. England should look carefully at that experience as it develops its approach to regulating provision in this sector.

Q30. How should settings be held accountable for how they spend Inclusive Mainstream funding?

- Accountability frameworks must be outcomes-based and must extend to how funding flows to and through VCFSE providers — not just statutory settings. There is a real risk that Inclusive Mainstream funding is absorbed by statutory bureaucracy rather than reaching the frontline provision that makes a difference for children and young people. Accountability mechanisms must be designed to make this visible and to create consequences when it happens.

- Co-production should be part of accountability. Families and young people are best placed to assess whether funding is working for them in practice — their experience must be built into how settings are held to account, not added as an afterthought. There is also a concern about whether local authorities have the knowledge and capacity to apply accountability frameworks consistently across their areas, particularly at a time of financial pressure and reorganisation. Government must ensure that the accountability infrastructure is supported and resourced at local authority level, not simply mandated from above.

Q31. Do you agree that more SEND funding should sit directly within mainstream budgets?

- VODG welcomes the principle but has significant concerns about the risk. More funding in mainstream budgets only works if mainstream settings are genuinely equipped, trained and accountable — and if the shift does not come at the expense of specialist provision. Members are already seeing specialist provision being eroded before the reforms have been implemented. Rebalancing funding towards mainstream must not accelerate this — VCFSE specialist providers must remain adequately funded alongside any increase in mainstream investment.
- There is also a sector-wide concern that the funding currently announced is insufficient. Schools are under significant financial pressure and adding expectations without adequate resources risks the reforms failing at the point of delivery. Funding reform must incentivise collaboration and system-wide thinking rather than competition between providers and settings — the Reframing Commissioning principles VODG has developed provide a model for how this can work in practice.

Q32. Do you agree that every school becoming part of a local SEND group aligns with the aim for community-based trusts?

Q33. How should disagreements about membership, provision or funding in school SEND groups be resolved?

Q34. How can we ensure the most effective use of local partnership groups?

Q35. Which stakeholders are important for the success of local partnership groups?

- The VCFSE sector must be explicitly named as an essential stakeholder — it currently risks being overlooked in favour of statutory partners despite being central to delivery. Not-for-profit specialist providers bring frontline evidence, community relationships and practice-based knowledge that commissioners and statutory bodies often lack. Their presence in local partnership groups is not

optional if those groups are to reflect the reality of how support is delivered on the ground.

- Parent carer forums and disabled people's organisations are equally essential. Co-production must mean genuine partnership — the voices of children, young people and families must be structurally embedded in how local partnership groups operate, not bolted on as a consultation exercise. Local partnership groups must also have explicit responsibility for transitions planning — this is currently one of the biggest failures in the system and must be a named part of every group's core remit, not left to emerge organically if individual members happen to prioritise it.

Q36. How can we build stronger collaboration and a culture of improvement through local SEND strategic plans?

- Strategic plans must include VCFSE providers as co-authors, not simply delivery vehicles. The sector has knowledge, expertise and long-term relationships with families that must shape plans from the outset — not be consulted on after the strategic direction has already been set. A culture of improvement also requires honest data sharing, and VODG members have the potential to pool data on transitions and outcomes that could make strategic plans genuinely evidence-based rather than aspirational documents that change little in practice.
- Plans must have teeth — named accountability, clear timescales and real consequences for failure. Strategic plans that set out ambitions without specifying who is responsible for delivering them, and what happens when they are not delivered, will not drive the systemic change these reforms require. They must also provide the certainty that specialist providers need to make long-term investment decisions — across the sector, members are currently unable to commit to major capital projects because the future shape of the system remains unclear, and this uncertainty has real and immediate costs for the sector's capacity to deliver.

Q37. What information, advice and guidance can best support families to ensure greater fairness?

- VCFSE organisations are the most effective channel for reaching families who distrust or have been failed by statutory services. Their trusted community relationships — built over years, not weeks — make them uniquely placed to provide independent information, navigation support and peer advocacy that statutory bodies simply cannot replicate. This role must be explicitly recognised and resourced within the new framework. Information and guidance provided by local authorities alone, however well-intentioned, will not reach all families or be trusted by all families.

- Information must be co-produced with families, not designed for them, and must be genuinely accessible — not assuming digital literacy, English as a first language, or prior knowledge of a complex system. Critically, information and guidance alone are insufficient without genuine legal protections. Families need to know that if things go wrong, there is a meaningful and accessible route to redress — the concern about Tribunal powers is directly relevant here. Guidance that tells families what they are entitled to, without the legal backstop to enforce those entitlements, risks raising expectations that the system cannot meet.

Q38. Do you agree a SEND specialist should sit on the school complaint panel?

- VODG agrees in principle — specialist knowledge on complaints panels is a sensible and welcome safeguard. However, it must be named clearly for what it is: a modest procedural improvement, not a substitute for meaningful legal protections. As a member of the Disabled Children's Partnership, VODG aligns with DCP's position that complaints panels are no replacement for independent legal redress, and that any reduction in Tribunal powers is opposed. A specialist on a panel does not address the fundamental power imbalance that families face when challenging decisions made by the very institution responsible for their child's support.
- Families also need independent advocacy support when navigating complaints processes — the confidence and knowledge to challenge decisions effectively is not evenly distributed, and those families who most need redress are often least equipped to pursue it unaided. VCFSE advocacy organisations play a vital role here and must be recognised and resourced as part of the wider complaints and redress framework.

Q39. Is there anything further you would like to contribute?

- VODG wishes to place on record our serious concern about the proposed changes to Tribunal powers. As a member of the Disabled Children's Partnership, we align fully with DCP's position that the role of the Tribunal is vital — both as a final measure where all else has failed and as a backstop that gives the system real accountability. The proposal that Tribunals will no longer be able to name a placement — only order a local authority to reconsider — represents a significant weakening of families' rights at precisely the moment when the system is asking them to place greater trust in local authority decision-making. We are opposed to this change and call on government to reconsider.
- We also note with concern reports that some elements of the reforms may already be determined regardless of the feedback received through this consultation. We take the government at its word that nothing is decided until legislation is brought forward, and we would encourage as many organisations and families as possible to respond. But we call on government to demonstrate

through its actions — not just its assurances — that this is a genuine co-production process, and that the evidence and views submitted will meaningfully shape the final proposals.

- The overarching case for the VCFSE sector must be central to how these reforms are implemented. Not-for-profit providers bring the not-for-profit dividend — reinvestment of surpluses, mission-driven accountability, user involvement and deep community roots — that cannot be replicated by statutory or for-profit alternatives. This must be explicitly recognised in commissioning frameworks, funding allocations and accountability structures. VODG's Reframing Commissioning principles provide a model for how the relationship between commissioners and the VCFSE sector should work — collaborative, outcomes-focused, co-produced and ambitious — and we would welcome the opportunity to discuss how these could inform implementation.
- Finally, VODG stands ready to engage with government on implementation, to share the evidence and expertise of our members, and to facilitate roundtable discussions between officials and voluntary sector leaders. The voluntary sector has a constructive, essential and irreplaceable role to play in making these reforms work for children, young people and families — and we are committed to playing it.

