

CHILDREN'S WELLBEING AND SCHOOLS BILL: Suggested amendments from the Disabled Children's Partnership and the Special Educational Consortium

A briefing for parliamentarians - January 2025

This is a joint briefing from the Disabled Children's Partnership and the Special Educational Consortium, the two leading coalitions of organisations and parent groups in the special education and disability field, together representing more than 130 organisations. We welcome the opportunity to work with parliamentarians on the Children's Wellbeing and Schools Bill. While the Bill includes important provisions aimed at improving children's wellbeing, we believe that certain areas require amendment to ensure that the needs of disabled children and young people and those with special educational needs and disabilities (SEN) are fully addressed.

Place Planning and Admissions

We welcome the duty for local authorities and schools to cooperate on admissions and place planning.

However, the Bill must address:

- The lack of adequate school places for disabled children and young people and those with SEN, particularly those with complex needs.
- Delays in the EHCP process, which prevent children from accessing appropriate placements.

Recommended amendments to the Bill:

- Measures to ensure that SEN units within mainstream schools foster an inclusive culture and are not segregated from the wider school community.
- A requirement for local authorities and schools to prioritise the inclusion of SEND-specific provisions in place planning.



Home Education and School Attendance

The provisions on home education and school attendance risk penalising families who are often home educating as a last resort due to systemic failures. Many families choose to home educate because:

- Local authorities and schools fail to provide suitable placements or support.
- Delays in the EHCP process leave children without appropriate support.

The requirements for local authority approval to withdraw a child from school and the introduction of a compulsory Children Not in School register must not exacerbate existing tensions between families and local authorities. It is essential these proposals do not reduce parent choice and force children to remain in unsuitable placements.

Recommended amendments to the Bill:

- Safeguards to prevent local authorities from using the register to pressure families into unsuitable school placements.
- Clear rights of redress for parents who disagree with local authority decisions on home education.
- A commitment to fostering a supportive relationship between families and local authorities, including the creation of an Attendance Code of Practice that prioritises a support-first approach.

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Breakfast Clubs

The provision of universal free breakfast clubs is a positive step towards supporting children's wellbeing. However, the Bill does not sufficiently ensure that these clubs will be accessible to disabled children and those with SEN. Many disabled children currently face barriers to accessing breakfast clubs due to:

- **Food Provision:** Some children may require specific dietary accommodations or feeding assistance.
- **Transport:** Council-provided school transport typically only operates at the start and end of the school day, leaving children unable to attend breakfast clubs.
- **Specialist Support:** Schools may lack the staff or resources needed to support children with complex needs during breakfast club hours.

Recommended amendments to the Bill:

- A clear requirement for schools to make reasonable adjustments to ensure breakfast clubs are inclusive of disabled children and young people and those with SEN, including the provision of specialist support staff.
- Guidance on extending reasonable adjustments, such as food vouchers, to breakfast clubs for children unable to access the meals due to their disabilities.
- Duties on local authorities to co-operate with schools in delivering their duties, including ensuring that where home to school transport is provided it enables attendance at breakfast clubs; and that support needed to access breakfast clubs should be included in Education, Health and Care Plans.

Information Sharing and Unique Identifiers

The introduction of a Single Unique Identifier is a positive step towards improving multi-agency collaboration. However, its focus on risk avoidance and child protection misses an opportunity to enhance the holistic care of disabled children.

Recommended amendments:

- Use the identifier to improve multi-agency working across education, health, and social care.
- Streamline processes for families to access support, reducing the need to repeatedly provide the same information to different agencies.



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