

Radical expansion in rights for children with SEND

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Radical expansion in rights for children with special educational needs and disabilities to transform life chances.

The government has today (23 February 2026) pledged to end the one size fits all education system that has traumatised too many families, and damaged the lives of too many children, as part of generational reforms to improve outcomes for children with special educational needs and disabilities (SEND).

Currently, over 70% of children in England's schools with additional needs, more than a million, don't have any legally enforceable rights. In a radical expansion in rights and support for every child, there will be a new legal requirement for schools to create individual support plans (ISPs) for all children with SEND.

Every ISP will draw from a national framework of high-quality interventions that lead to the best education and life chances, personalised by the teachers and specialists who know children best.

The support ISPs set out will be easily available, without a fight, thanks to the government's multi-billion-pound investment in services like speech and language therapy and small group teaching in schools.

Education, health and care plans (EHCPs) will be retained and improved under plans in the government's schools white paper: 'Every child achieving and thriving'. They will offer a wider legal entitlement beyond the ISP to more intensive or complex support than schools can routinely provide.

And a triple lock of transitional protections will mean no child loses effective support already in place:

- every child who has a special school place in 2029 will keep it if they want it until they finish education
- transition for children with an EHCP in mainstream who will best supported via an ISP rather than an EHCP in future will only begin from 2030 once the new inclusive mainstream system has been fully built, and only then as children naturally move between phases, like from primary to secondary
- ISPs will be in place for children who are transitioning from an EHCP before they move to the new system, so there is no break in support

It comes as the white paper sets out a decade long mission to make every child and family feel engaged and included in an education system broad enough to meet all children's needs – creating opportunity for every child to achieve, thrive and get on in life.

Education Secretary Bridget Phillipson said:

I believe – and this government believes – that background shouldn't mean destiny. How a child grows up shouldn't dictate where they end up.

The SEND system designed 10 years ago for a small number of children is now broken. Parents end up fighting tooth and nail for entitlements on paper that don't see them getting additional support. Children's educations and lives have suffered.

Today's plans will take children with SEND from sidelined and excluded to seen, heard and included. Every child will get the brilliant support they deserve, when they need it, as routine and without a fight.

Wider reforms to create a sustainable, fair and high quality SEND system include:

- EHCPs and ISPs will both be digitised to reduce bureaucracy and increase transparency
- the school complaints process will be updated, with an independent SEND expert added to the complaints panel, where there are concerns around a school granting an ISP, or the content of the ISP
- the legal entitlement to support in an EHCP will be based on a specialist provision package, similar to clinical pathways used in health – improving the quality and consistency of support across the country
- draft packages will be published later this year and designed with independent experts and parents, guiding provision in specialist places in mainstream and special schools – for example physical disability requiring personal care assistance or severe learning difficulty
- children with EHCPs will also have an ISP setting out exactly how the package will be delivered day-to-day by their school
- independent special schools will be brought under a new regulatory regime to make sure they deliver the high-quality support set out in packages to a fair and reasonable price

Transitional protections mean that no child in year 3 now, or older, will move on to an ISP if they don't want to until the end of secondary school – although the government believes many will see the new system as an improvement and chose to make the switch.

Parents of children in mainstream transitioning from an EHCP to an ISP as they move from primary to secondary will be able to choose the school they wish to move to. This will importantly provide families with assurance that they have a preferred school place banked.

The SEND tribunal will continue as an important legal backstop in the system, with parents retaining the ability to appeal decisions like whether a child should be assessed for a specialist provision package; which specialist package of support the child should receive and which school the child should attend.

This comes alongside strengthened mediation services and an improved complaints process – enabling concerns to be resolved earlier and more collaboratively, meaning that those cases that do go to tribunal should be heard more quickly.

These changes come alongside plans set out in the white paper that mean that at every level of the SEND system, things will change for the better:

- in every classroom, in every school, teachers and support staff will be trained to meet the needs of children with SEND, based on the latest evidence, and backed by £200 million of investment
- in every school in every town, there will be dedicated funding from the £1.6 billion inclusion grant to deliver proven programmes like small group speech and language support to respond to the most commonly occurring SEND needs
- in time we expect every secondary school will have an inclusion base where they can deliver

additional support and small group work, thanks to our £3.7 billion investment to create over 60,000 more specialist places

- in every town across the country families will be able to send their child to their local school with confidence, with the £1.8 billion backed “Experts at Hand” to provide more support like educational psychologists for children with more severe behavioural and processing needs

Paul Whiteman, general secretary of school leaders’ union the National Association of Head Teachers (NAHT), which represents leaders in the majority of schools in England, said:

We welcome the publication of the government’s white paper today, and are optimistic that it contains the foundation of a successful new approach to education and support for children with SEND.

Success will require sufficient funding and availability of support services and we are pleased to see new money committed to the plans and ambitions to expand support services.

Parents, teachers and school leaders will now assess if the commitments are sufficient to ensure success.

Children’s Commissioner Dame Rachel de Souza said:

Children with additional needs and their families deserve clarity, so I welcome this commitment for a system that wants to prioritise children’s rights – instead of one that has failed them for far too long.

Families will understandably be anxious about what this moment of change will bring, but this is an opportunity to move to a system that acknowledges that every child, at some point in their lives, will require help and support. It’s an opportunity to rebuild trust with families and offer children greater ambition, instead of telling them they are the problem.

Under these plans, no child should fear losing support. I will be working closely with ministers and families over the coming months to make sure that becomes a reality.

Pepe Di’Iasio, General Secretary of the Association of School and College Leaders (ASCL), said:

We commend the ambition of the government’s white paper to create an education system which is more inclusive and works better for children with special educational needs. Our schools and colleges already deliver a high standard of excellence, but too many children who face the greatest challenges lack the level of support they need and deserve because of long-standing problems with the current SEND system.

The government’s plan to build more support in mainstream schools, invest in professional development, prioritise early intervention, and provide better access to educational psychologists and speech and language therapists is the right way to go.

ASCL will work in partnership with the government to turn this vision into reality, striving to overcome any obstacles, and to ensure that these reforms work from the

ground-up rather than top-down with schools and colleges in the driving seat of shaping excellent and innovative provision which will genuinely enable inclusivity for all.

Amanda Allard, Council for Disabled Children, said:

We welcome the scale of vision contained in the white paper which has the potential to create an education system that fully values children and young people with additional needs and their families.

We also welcome the commitment to retain statutory education, health and care plans for children and young people whose needs cannot be met through this new model. We know that many parents will welcome the legal requirement for schools to create individual support plans for all children with SEND.

At the same time we know they will be concerned to understand how accountability will work. the consultation launched today is an opportunity to clarify those details ensuring families have clear routes to action where these ambitions are not being delivered.

<https://www.gov.uk/government/news/radical-expansion-in-rights-for-children-with-send>