

Institute for Public Policy Research



# › PLANS THAT WORK

EMPLOYMENT  
OUTCOMES  
FOR PEOPLE  
WITH LEARNING  
DISABILITIES

› **Jack Hunter**

April 2019

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20th Floor  
City Tower  
Piccadilly Plaza  
Manchester  
M1 4BT  
T: +44 (0)161 694 9680  
E: [north@ippr.org](mailto:north@ippr.org)  
[www.ippr.org/north](http://www.ippr.org/north)

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# CONTENTS

<b>Introduction</b> .....	<b>3</b>
<b>1. Employment outcomes for people with learning disabilities</b> .....	<b>4</b>
1.1. People with learning disabilities in England .....	4
1.2. The benefits of employment for people with learning disabilities.....	4
1.3. The government’s commitment to raising employment of people with learning disabilities.....	5
1.4. Current levels of employment among people with learning disabilities.....	6
<b>2. Support for children and young people with learning disabilities</b> .....	<b>8</b>
2.1. The design of support for children and young people with SEND.....	8
2.2. The implementation of 2014 reforms.....	9
2.3. The quality of SEND support since 2014.....	10
2.4. Funding for SEND support .....	10
2.5. Issues with EHC plans .....	12
2.6. Funding for EHC plans .....	13
2.7. Issues with EHC plans and pathways to further education or employment .....	14
2.8. The opportunities of devolution .....	16
<b>Conclusion</b> .....	<b>17</b>
Recommendations.....	18
<b>References</b> .....	<b>19</b>
<b>Appendix</b> .....	<b>21</b>

## ABOUT THE AUTHOR

Jack Hunter is a research fellow at IPPR North.

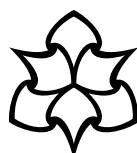
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# INTRODUCTION

Many of us have some form of learning disability. If this is you, you are less likely to live an independent life, and you are significantly less likely to have a job. This short paper considers whether the additional support that is provided to children and young people with learning disabilities helps them properly prepare for adulthood, and considers how it might have to change to better achieve this.

People with learning disabilities comprise a large group of individuals who experience additional barriers to learning and independent living. Without the appropriate support, for example, they may take longer to learn new skills and may need additional support to understand complicated information or to interact with other people.<sup>1</sup>

While being in paid work is neither necessary nor desirable for everyone in society, many people with learning disabilities would like to work. Increasing employment among people with learning disabilities, as part of a wider range of social changes to enable them to live more independent, fulfilling and secure lives, brings considerable benefits to the individual, to employers and to society as a whole.

Yet employment rates for those with learning disabilities are very low.

A prosperous and inclusive economy in the north of England is one in which everyone has equal right to employment. In order to achieve this, policymakers will need to remove the additional barriers to employment that people with learning disabilities face.

Children and young people with learning disabilities might be eligible for additional support while they are in education, to enable them to overcome barriers to learning. If they are, then they are considered to have “special educational needs and/or disabilities” (referred to as SEND, or sometimes SEN).

This paper explores some of the barriers to employment for people with learning disabilities, principally in relation to support for children and young people with SEND, and sets out recommendations for change.

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1 See: <https://www.mencap.org.uk/learning-disability-explained/what-learning-disability>

# 1. EMPLOYMENT OUTCOMES FOR PEOPLE WITH LEARNING DISABILITIES

## 1.1. PEOPLE WITH LEARNING DISABILITIES IN ENGLAND

It is hard to quantify how many people in England have some form of learning disability. One government estimate, using the numbers of people who are known to government services, such as social care, suggested that in 2015 there were 1.1 million people with learning disabilities, including 930,000 adults (PHE 2016). However, this is likely to be an underestimate, given that there will be a substantial proportion of people who do not access government services.

When determining support for children and young people, a broader definition of learning disability is used. For example, according to the latest data from the Department for Education there are almost 1.3 million children and young people aged under 25 with identified special educational needs and disabilities (SEND) in England alone. This is equivalent to roughly one in seven of the total population.

## 1.2. THE BENEFITS OF EMPLOYMENT FOR PEOPLE WITH LEARNING DISABILITIES

Everyone has the right to a fulfilling and independent life. However, because of the additional barriers that they face, extra effort is required on the part of society to provide people with learning disabilities with the same opportunities that others take for granted.

This includes efforts to ensure that people with learning disabilities can exercise their right to work if they want to.

For example, the UN Convention on the Rights of Persons with Disabilities, of which the UK is a signatory, includes “the right of persons with disabilities to work, on an equal basis with others”.<sup>2</sup>

The benefits of employment for people with learning disabilities are numerous.

Getting secure paid work has significant **benefits for the individual** concerned, including increased financial independence and stronger social networks, as well as physical and mental health benefits.<sup>3</sup>

Many people with learning disabilities would like to work. The charity Mencap suggests that as many as 65 per cent say that they would like a job, although it should be noted that this figure is taken from a government survey of 3,000 people conducted some time ago (DoH 2005).

In addition to this, a review of existing literature on the **benefits for employers** who take on people with learning disabilities found that those with learning disabilities generally stay in a job longer, are sick less and are reliable time-keepers. Employing

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2 See: <https://www.un.org/development/desa/disabilities/convention-on-the-rights-of-persons-with-disabilities.html>

3 See: [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/214326/hwwb-is-work-good-for-you.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/214326/hwwb-is-work-good-for-you.pdf)

someone with a learning disability was also associated with increased staff morale, increased productivity among others, and reputational benefits (Beyer and Beyer 2017).

Finally, supporting people with learning disabilities to live more independently than they otherwise would is associated with **lower overall costs to the state**.

State support for adults with learning disabilities represents a significant proportion of all local government spend. According to the latest figures (which refer to 2016), over £5 billion is spent by social care services each year on supporting adults with learning disabilities (NHS Digital 2018). This represents 38 per cent of the total adult social care budget, and could increase by an estimated £2 billion in the next decade because of the effects of population change and rising costs.<sup>4</sup> In 2011, the National Audit Office (NAO) estimated that the average cost to the public purse of supporting a person with a moderate learning disability through adult life (16–64) was £2–3 million (NAO 2011).

Enabling people to live more independent lives helps reduce overall financial costs. For example, in the same NAO report, it was estimated that:

- supporting one person with a learning disability into employment could, in addition to improving their independence and self-esteem, **reduce lifetime costs to the public purse by around £170,000 and increase the person's income by between 55 and 95 per cent** (NAO 2011)
- providing a young person with a learning disability with the relevant life and employability skills so that they can live in semi-independence could **reduce lifetime support costs to the public by approximately £1 million** (NAO 2011).

### 1.3. THE GOVERNMENT'S COMMITMENT TO RAISING EMPLOYMENT OF PEOPLE WITH LEARNING DISABILITIES

The current government has made repeated commitments to enable more people with learning disabilities to live more independent and fulfilling lives, including through employment.

Pointing to historic low levels of employment between people with learning disabilities, the government recognised that that people who have learning difficulties “have often not been well supported in employment”, and has committed to “making a step change in the life chances of people with learning difficulties, and learning disabilities”, as a “cross-government” priority.<sup>5</sup>

In November 2017, the government set out its desire to halve the employment gap among people with disabilities (including those with physical disabilities as well as learning disabilities), and to get a million more people with disabilities into employment (DWP and DoH 2017). This includes increasing employment among people with learning disabilities.

As explored below, support for children and young people with learning disabilities is intended to be provided with a view towards preparing them for adulthood and, where appropriate, employment.

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<sup>4</sup> See: <https://www.countycouncilsnetwork.org.uk/councils-warn-that-costs-of-caring-for-adults-with-learning-disabilities-could-increase-by-almost-2bn-by-2025/>

<sup>5</sup> See: <https://www.parliament.uk/written-questions-answers-statements/written-question/commons/2018-02-05/126722>

#### 1.4. CURRENT LEVELS OF EMPLOYMENT AMONG PEOPLE WITH LEARNING DISABILITIES

Taken together, then, there is a strong social and economic case to improving opportunities for people with learning disabilities to take up employment, or to increase the hours they work, as well as a moral and a social case for ensuring that everyone in our society benefits from the same rights and opportunities that many take for granted. The government’s stated focus is an endorsement of this.

However, while it is difficult to ascertain the precise proportion of people with learning disabilities who are in work, there is strong evidence that employment levels among people with learning disabilities remain persistently and extremely low.

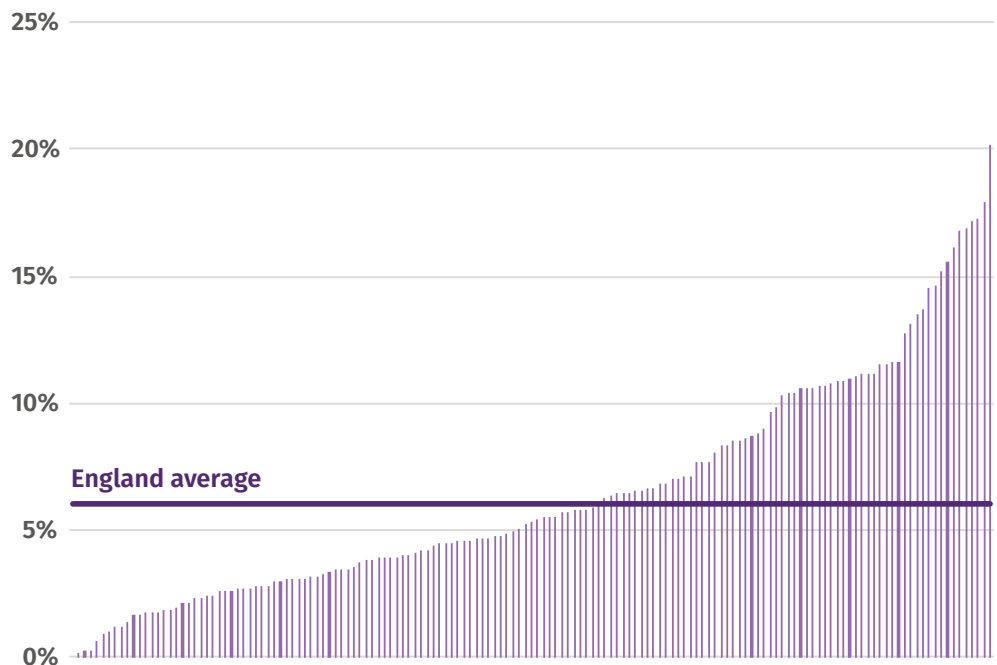
Public Health England compiles statistics on the employment of people with learning disabilities known to social services. This group (total 131,522 across England) includes people with some of the most severe learning disabilities. According to the latest figures, just 6 per cent (7,907 people) are in paid employment (NHS digital 2018), with men (6.6 per cent) more likely than women (5.2 per cent) to be employed.

The national picture, however, obscures considerable local variation: in some local authorities employment rates are over three times higher than the England average (see figure 1.1). Local labour market conditions only explain ‘a small part’ of this variation (NAO 2017), implying that there is considerable scope for many areas to improve.

**FIGURE 1.1**

**There is considerable variation between local areas in the proportion of people with a learning disability in employment**

*Proportion of people with a learning disability in employment by local authority (2017/18)*



Source: NHS Digital (2018) Measures from the Adult Social Care Outcomes Framework (ASCOF), England 2017-18



Data for those who are not known to social services, and who are likely to have mild or moderate learning disabilities, is harder to find. To get a rough idea, we use the Labour Force Survey, which collects employment data on those with self-reported learning disabilities. The most recent data (for 2018) suggests that 24 per cent of those aged 16-64 are in paid employment (Parkin et al 2018).

This figure represents an increase from recent years, up from 20 per cent in 2015, however it still compares highly unfavourably with the employment rate for the wider population (81 per cent) or that for people with disabilities more generally (51 per cent) (Powell 2019).

In order to improve the lives of people with learning disabilities, and remove the barriers to employment that they face, we need start with the support that is provided to children and young people.

However, as explored in the next section, despite the stated intentions of the government, the design of this support, alongside the extreme pressures placed on the system by cuts to SEND budgets and education funding more generally, means that the system of support for children and young people is unlikely to achieve a step-change in the employment prospects of future generations.

## 2. **SUPPORT FOR CHILDREN AND YOUNG PEOPLE WITH LEARNING DISABILITIES**

In 2014, the then-Coalition government introduced wide reforms to the support provided to children and young people with learning disabilities. Support that is provided to children and young people with special educational needs and/or disabilities (SEND) is intended to enable them to ‘achieve the best possible educational and other outcomes’ (DfE and DHSC 2014). From 2014, this has included an explicit focus on preparing them effectively for adulthood, specifically ‘independent living and employment’.

Since then, there have been some signs that the reforms are beginning to have a positive effect. However, there are also issues with the current design of the system which arguably undermine these successes to date.

In addition, the wider crisis in funding for SEND, education and schools, and for local authorities themselves, has placed untenable pressures on the system, leading to poor quality support, increasing numbers of exclusions and under- and over-identification of need. These continuing and increasing pressures on funding are likely to erode the rights of children and young people with learning disabilities to access the support they need and result in higher overall economic cost to the state. This is explored further below.

### **2.1. THE DESIGN OF SUPPORT FOR CHILDREN AND YOUNG PEOPLE WITH SEND**

Support for children and young people up to the age of 25 with SEND is provided by local authorities in England, and is mostly delivered through educational and training settings such as schools and colleges. Following the Children and Families Act 2014 every council is required to develop a ‘local offer’ of services available for children and young people with SEND. The offer must be developed in partnership with children and young people with SEND and their parents, and education, health and care partners. This support constitutes two main elements.<sup>6</sup>

1. Children and young people in education or training can receive SEND support, through their nursery, school or college. This might include extra help from a teacher, help communicating with other children, or support with physical or personal care difficulties. In a mainstream school, this is organised through a dedicated employee, a special educational needs coordinator (SENDCO) who works with teachers to plan the help each child needs. Education settings, including nurseries, schools and colleges are legally required to provide SEND support however there is no statutory definition of what this support should include. Local authorities must adhere to the government’s code of practice (DfE and DHSC 2014) to make sure that there’s appropriate SEND support in place for those who need it.

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6 See: <https://researchbriefings.parliament.uk/ResearchBriefing/Summary/SN07020>

As stated above, 1.3 million children and young people aged under 25 have identified special educational needs and disabilities and are therefore eligible for SEND support.

2. Additional and more substantial assistance is also available to eligible children and people under 25 through an Education, Health and Care plan (EHC plan). This is a statutory document, which replaces the previous system of SEND statements and learning difficulty assessments (LDAs), and which details the additional support that a local authority is legally required to provide to address a young person's education, health care, and social care needs, and for them to achieve agreed outcomes across education, health and social care. Over 250,000 children and young people have an EHC plan (DfE 2018b).

The 2014 reforms were intended to bring an increased focus of support provided through education, health and care systems towards 'preparation for adulthood', including 'independent living and employment'.

The government has identified support for employment opportunities such as apprenticeships, traineeships and supported internships as important steps towards employment for people with learning disabilities. Local authorities' offers are required to identify such opportunities available to young people in their area, in order to 'provide a smooth transition from education and training into employment' (DfE 2014). In particular, supported internships have been identified as an important mechanism. These internships are an unpaid placement for those on EHC plans that enables young people to gain skills in the workplace while undertaking a personalised study programme.<sup>7</sup> In its 2016 disability strategy, the government expressed a desire to create an "expectation among young people with SEND who have [EHC] plans that they will undertake supported internships if it is the right route for them" (DWP and DoH 2017).

## 2.2. THE IMPLEMENTATION OF 2014 REFORMS

The evidence to date suggests that there have been considerable issues in the implementation of the government's 2014 reforms to support for children and young people with learning disabilities.

- There is considerable variation in the quality of support provided between local areas, especially for those not eligible for an EHC plan. This is related to the reductions in funding for SEND support, and for schools and local government more generally.
- There are issues with the quality and relevance of EHC plans, especially for those nearing employment age.<sup>8</sup> This is also related to reductions in the funding available.
- The quality of support for people with learning disabilities nearing employment age is poor, and is weakened by a lack of integration between services and organisations, as well as a lack of employer engagement. This is exacerbated by a lack of acknowledgement from government about the resource costs to employers and educators to develop large numbers of suitable opportunities. There has been low and variable up-take of supported internships across different areas.

Taken together, there is abundant evidence that the government's stated desire to encourage more people with SEND into employment is being undermined by the wider crisis in funding for SEND support, and local government more generally.

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<sup>7</sup> See: <https://www.preparingforadulthood.org.uk/downloads/supported-internships>

<sup>8</sup> In England, a young person must be in part-time education or training until they're 18. This report refers to 'employment age' as 18 or over.

### 2.3. THE QUALITY OF SEND SUPPORT SINCE 2014

Since 2014, the quality of SEND support, to which approximately one in seven pupils is entitled, has declined in many areas. Compared to other pupils, children and young people with SEND are more likely to have a poor experience of the education system. Those who have identified special education needs but who do not qualify for an EHC plan are significantly less likely to receive the support they need to.

In 2017, a joint Ofsted/CQC (2017) report on progress in implementing changes since 2014 found that, compared to other pupils, children and young people with SEND. It found that, compared to other pupils, those with SEND:

- had a much poorer experience of the education system
- experienced higher rates of exclusion (including an ‘alarming’ number of instances across nearly all areas where school leaders had illegally used unofficial exclusions to cope with children and young people who have SEND)
- did not get the support and resources they were entitled to once they reached the age of 19 because of a lack of coordinated planning as young people moved into adult services.

There is geographical variation in the quality of SEND support. In its 2017/18 report, Ofsted reported that: “the gap in performance and outcomes for children with SEND is widening between the best and the worst local areas” (Ofsted 2018).

The same report also identified concerns regarding high rates of exclusions among children and young people with SEND in secondary schools. In particular, it suggested that:

- pupils with SEND support are five times more likely to have a permanent exclusion than their peers
- over a quarter (27 per cent) of all pupils on SEND support had been excluded temporarily in the last year
- pupils with SEND were more likely to leave the school system prematurely. Pupils with SEND account for 13 per cent of all pupils but 30 per cent of those who leave their school.

Children and young people who were identified as needing SEND support but not an EHC plan were least likely to get the support they need. This extends to future outcomes - the Ofsted/CQC report pointed out that local authorities were not making full efforts to monitor and take ownership of outcomes for children and young people receiving SEND support once they leave an education setting, including whether they were able to secure future education, employment and training, or to step into independent living.

As such, increasingly, parents are considering getting an EHC plan a “‘golden ticket’ to better outcomes’ (Ofsted and CQC 2017). At least partly because of this, the level of demand for local authorities to undertake EHC needs assessments has increased by over 50 per cent since 2015 (Ofsted 2018).

Underpinning the issue of quality in SEND support is the deteriorating state of local authority finances, and funding for SEND.

### 2.4. FUNDING FOR SEND SUPPORT

Since 2010, the overall per capita allocation for schools has been cut considerably. Spending per pupil has fallen by 8 per cent over this period and is due to be frozen until 2019/20 (IFS 2018). In addition, financial pressures on dedicated budgets for support to children and young people with the most complex learning disabilities (discussed below) mean that many schools have sought to cross-subsidise support

from their overall budget to meet their statutory responsibilities to those with EHC plans.

As a result of this, the financial sustainability of many schools, and especially secondary schools, has been undermined. In 2016, the NAO (2016) pointed to evidence that more than half (59 per cent) of maintained secondary schools were spending more than their income. A recent investigation by the *Guardian* pointed to the effects of these cuts, including staff redundancies, equipment shortages and reductions in teaching hours.<sup>9</sup>

Real-terms cuts to overall schools budgets have also heavily impacted upon support for children and young people receiving SEND support. Funding for support for this group is not protected or ‘ring-fenced’ (see box 2.1), meaning that reductions in overall budgets have, in many places, led to reductions in resources available to deliver SEND support, including teaching and support staff.

### **Box 2.1: How support for SEND is funded in England**

Local authorities in England receive funds through the ‘high needs block’ to meet the needs of those with more complex special educational needs. This is a centrally determined source of revenue that is used to meet the support that local authorities are legally obliged to provide through EHC plans.

However, funding for more moderate SEND forms part of the overall dedicated schools grant allocated to each local authority to fund their schools budget. Local authorities provide a notional SEND budget, in addition to a per-pupil allocation, for schools to use to provide support as they see fit, in a way that will deliver upon the local offer. Where annual costs of SEND support for individual children or young people exceed £6,000, the council will provide a ‘top-up’ cost to schools.

Source: Long and Roberts (2019)

The overall reductions in funding are likely to have an impact upon the quality and availability of provision, and negative outcomes for young people affected. In fact, there is considerable evidence that this is the case.

For example, a survey of teachers undertaken for the school leaders’ union NAHT found that 73 per cent of respondents said it was harder to resource support for pupils with SEND due to cuts to mainstream funding, in particular due to reductions in the numbers of teaching assistants and pastoral staff.<sup>10</sup>

In addition, as well as a lack of resource, there are significant perverse incentives inherent in the current system of funding that increase the likelihood that children and young people will not get the support they need. Specifically, because schools must fund the first £6,000 for SEND provision, which is then topped up by councils, they have a financial motivation either to find way of reducing the number of children and young people with SEND under their responsibility. This includes both under- and over-identification of need.

9 See: <https://www.theguardian.com/education/2019/mar/08/its-dangerous-full-chaos-of-funding-cuts-in-englands-schools-revealed>

10 See: <https://www.naht.org.uk/news-and-opinion/press-room/without-sufficient-funding-sen-code-of-practice-is-nothing-more-than-an-empty-promise-say-school-leaders/>

- **Under-identification of needs:** Given the costs involved in SEND support, schools are incentivised to not identify people as requiring such support to avoid having to cater to them. The extent of this practice is hard to quantify. Certainly, since 2010, there has been an overall reduction in the overall proportion of children and young people identified with SEND, which has fallen from 21 per cent in 2010 to under 15 per cent in 2018 (DfE 2018a). A small survey of SENDCos suggested that workers on the frontline attributed at least some of these changes to the 2014 reforms (Curran et al 2017), however, it may also be a correction from previous years – for example Ofsted (2010) suggested that some pupils were being incorrectly identified as having special educational needs.

If children and young people with learning disabilities do not get the support they require to make the most of education and training opportunities then they are less likely to be fully prepared for adulthood. This is likely to have long-term cost implications for the taxpayer, as well as considerable social and economic costs for the individual.

- **Over-identification of needs:** At the same time, schools are incentivised to recommend children with more severe SEND are moved to specialist settings, because doing so removes the financial costs that would accrue to them to provide support. The evidence for this is more apparent: since 2013 there has been a rapid increase in the number of children and young people with SEND educated in special schools and specialist colleges, rather than in mainstream settings. Government figures show that this number has increased by 24 per cent, from 105,442 in 2013/14 to 131,230 in 2017/18.

This increases the overall financial costs across the system, because provision for people with SEND in specialised settings is more expensive than in mainstream provision. For example, the costs associated with home-to-school transport have risen sharply in recent years.<sup>11</sup>

Where decisions about support for children with learning disabilities are driven by financial incentives, it is inevitable that some people will not get the right support that they need. The perverse incentives in the system are likely to be exacerbated by financial pressures. However, in both of these cases, a short-term and siloed approach to cost-cutting risks pushing up the overall costs to the public purse, and undermines the government’s stated intention with regard to preparing children and young people for adulthood.

In addition to issues related to SEND support generally, there are also specific problems with EHC plans, which are explored below.

## 2.5. ISSUES WITH EHC PLANS

Evaluations of the implementation of EHC plans to date have found variation in the quality of plans, with particularly poor provision for young people of employment age.

The Ofsted/CQC report found that the quality of EHC plans varied widely across the local areas inspected. It pointed to weaknesses in many EHC plans for those aged 19 and over, including that “a lack of clarity about young people’s aspirations and poor detail about the provision that was needed post-19... left ambiguity about who should be providing what for young people as they leave school”.

In 2016, a national survey commissioned by the Department for Education (Adams et al 2017) also found variations in how EHC plan recipients experienced the planning process across different local authorities. Of the 13,643 young people and parents

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<sup>11</sup> See: <https://www.countycouncilsnetwork.org.uk/exponential-rise-in-special-needs-pupils-leads-to-councils-spending-over-300m-on-transporting-young-people-to-school-last-year/>

of children/young people surveyed, almost a quarter found starting the EHC plan process to be difficult. In addition, while over two-thirds (67 per cent) agreed that the help and support outlined in the EHC plan had improved the child/young person's experience of education, less than half said that their plan had helped them and their family to have the life they want to lead (46 per cent) with one-in-five disagreeing (21 per cent). Less than half agreed that their plan would improve the child/young person's chances of getting paid or unpaid work in future (47 per cent) with 13 per cent disagreeing.<sup>12</sup>

Following this survey, a multivariate analysis of the survey data (Shepherd et al 2018) found, among other things, that 16-25 year olds were less likely to agree that their EHC plan would achieve its agreed outcomes, and that people in deprived areas were less likely to be satisfied with their EHC plan.

As with wider SEND support, there are substantial and growing issues with funding.

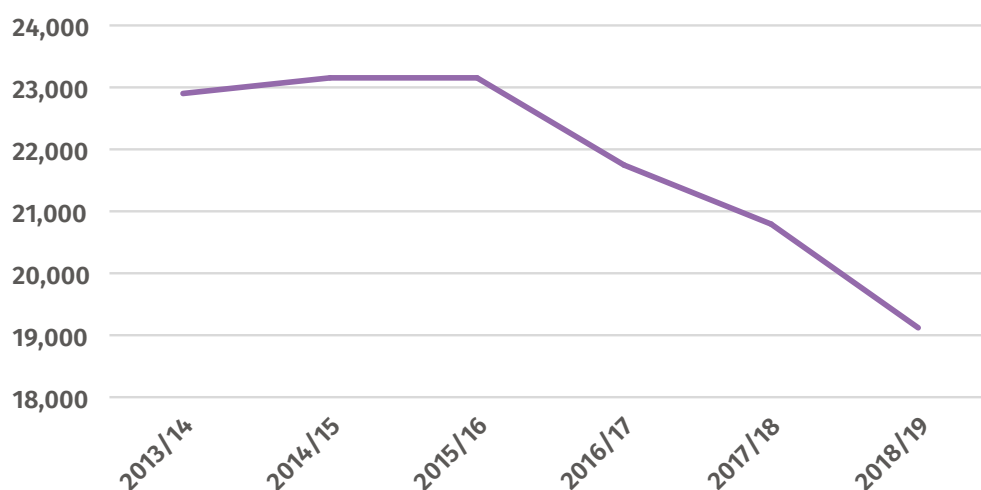
## 2.6. FUNDING FOR EHC PLANS

The government's yearly financial allocations to the high needs block (which is used to pay for support required through EHC plans) have increased year on year, but have failed to keep pace with recent increases in demand. Adjusted for inflation, the total high needs block allocation has increased by 11 per cent since 2014/15, however, during the same period the number of children and young people with EHC plans has increased by 35 per cent. This means that the amount of funding available through the high needs block for each young person who needs it has declined by just under 20 per cent in four years (see figure 2.1).<sup>13</sup>

**FIGURE 2.1**

**The amount of funding available through the high needs block for each young person who needs it has declined by just under 20 per cent**

*Funding allocated through high needs block per EHC plan (£) including additional funding announced December 2018*



Source: IPPR North analysis of DfE Dedicated schools grant (DSG): 2013/14 to 2018/19 financial year allocations; DfE Statements of SEN and EHC plans: England, 2014-18

<sup>12</sup> A substantial proportion neither agreed nor disagreed or did not know (15 per cent and 19 per cent).

<sup>13</sup> See appendix for a regional breakdown of funding.

The Local Government Association (LGA) have suggested that the combination of rising demand, a lack of funds made available, as well as restrictions to councils ability to top up high needs funding from other funds, have had a significant financial impact on councils, to the point where their ability to deliver upon their legal obligations to provide SEND support is at risk.<sup>14</sup>

This is supported elsewhere, analysis by the *Observer* acquired from freedom of information requests and reports from 117 of England's 152 councils indicates that the combined overspend on 'high needs' education budgets among councils in England increased from £61 million in 2015/16 to £195 million in 2017/18.<sup>15</sup>

The government recently acknowledged the 'significant pressures' on the high needs budget, and made an additional £350 million available to councils. However, this sum is less than the estimated £472 million deficit currently faced by local authorities, which is expected to grow to £1.6 billion by 2020/21 (LGA 2018).

Faced with a prospective financial deficit, some local authorities have responded by trying to restrict access to EHC support. As a result, the number of SEND and disability tribunal hearings has doubled in the past two years, with the decision favouring parents in 89 per cent of their cases.<sup>16</sup> The process is often incredibly stressful for individuals and families involved, and can have a serious financial impact that is often not recompensed through damages.

This is indicative of the root problem: the mounting financial pressures on support for SEND, and on education budgets more generally, are incentivising many local authorities and schools to view SEND support as a cost to be reduced. The effect is that many children and young people are not getting the support they are entitled to, and that they need to prepare themselves fully for adulthood.

Support for those nearing employment is explored below.

## **2.7. ISSUES WITH EHC PLANS AND PATHWAYS TO FURTHER EDUCATION OR EMPLOYMENT**

The government has said that is "critical" that local authorities focus heavily on helping young people with learning disabilities (and their parents and carers) to start planning for a successful transition to adulthood from "year nine at the latest".<sup>17</sup> This includes, where appropriate, moving into employment.

The number of young people aged 16-25 with an EHC plan has increased dramatically in recent years, from 25,000 in 2015 to almost 85,000 in 2018 (DfE 2018b). However, the quality of support has been hindered by a lack of joined-up working between different agencies. Some of this is to be expected when developing new and complex arrangements, however the overall funding pressures have likely impacted negatively upon this.

Firstly, as explored above, those nearing employment age appear to be less likely to receive quality support (either via SEND support, or EHC plans) that enables them to do this. This is linked to funding, but also to the lack of integration between different services. In its 2018 report, Ofsted pointed to "a continuing lack of coordinated 0–25 strategies and poor post-19 provision" for young people with learning disabilities.

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14 See: <https://www.local.gov.uk/sites/default/files/documents/Stage%20%20LGA%20High%20Needs%20response%20FINAL.pdf>

15 See: <https://www.theguardian.com/education/2018/nov/10/councils-face-crisis-special-needs-education-funding>

16 Tribunals and gender recognition certificate statistics quarterly: July to September 2018, Ministry of Justice, Table SEND 1 <https://www.gov.uk/government/statistics/tribunals-and-gender-recognition-certificate-statistics-quarterly-july-to-september-2018>

17 See: <https://www.gov.uk/government/publications/send-19-to-25-year-olds-entitlement-to-ehc-plans/send-19-to-25-year-olds-entitlement-to-ehc-plans>



It stated that “outcomes for young people with SEND are often poor by age 16” (Ofsted 2018).

This includes a lack of effective engagement between colleges and employers, to create opportunities for young people with learning disabilities to get experience of the workplace, develop skills and progress into steady employment. Although there are many good examples of effective engagement, very few businesses recognise the case for employing people with learning disabilities (CSJ 2017).

Secondly, and at least in part because of the issues discussed above, there has been slow and variable uptake of schemes such as supported internships and apprenticeships, which have been identified within the SEND code of practice as a key stepping stone in supporting people with learning disabilities into work, and which have been shown to be beneficial for improving likelihood of sustained employment among people with SEND (CooperGibson Research and Disability Rights UK 2013).

As figure 2.2 shows, there has been a significant year-on-year increase in the numbers of young people with EHC plans that are undertaking apprenticeships, traineeships or supported internships.

**FIGURE 2.2**

**There has been a significant increase in the numbers of young people with EHC plans undertaking employment-related schemes, although total numbers remain low**  
*Number of children and young people with statements or EHC plans undertaking apprenticeships, traineeships or supported internships*



Source: DfE 2018a

However, the total proportion of young people undertaking this type of activity is still very small. In 2018, there were just over 1,200 supported internships in England. The numbers of apprenticeships (646) and traineeships (466) are even smaller (DfE 2018a).

Within this, there is considerable variation between local authorities in the number of supported internships undertaken. In total, there are 43 local authorities across the country where zero young people with EHC plans are undertaking supported

internships, and 15 local authorities where zero young people with EHC plans are undertaking any apprenticeships, traineeships or supported internships (ibid).

Finally, the design of the EHC plans includes disincentives for young people to take on employment.

While EHC support is available through education, training and schemes such as supported internships, a local authority is no longer legally bound to provide support through an EHC plan once a young person enters paid employment. This situation can create a cliff edge scenario that theoretically acts as a disincentive to work.

## 2.8 THE OPPORTUNITIES OF DEVOLUTION

Most local areas in England have a learning disability partnership board, which is intended to bring together people with learning disabilities, voluntary and community organisations alongside councils and other public services, in order to ensure a consistent approach to service improvement and access for people with learning disabilities.

Increased devolution and opportunities for integrated place-based solutions across combined authorities could, in theory at least, help overcome some of these issues, by ensuring a more joined-up approach to support for children and young people with learning disabilities until the age of 25 (see box 2.2).

### Box 2.2: The Greater Manchester Learning Disability Strategy

On 13 July 2018, the Greater Manchester Health and Care Board signed off a new GM Learning Disabilities Strategy, written by people with a learning disability living in the city region.

The strategy comprised 10 commitments, including “enabling more people to obtain paid employment and supporting young people to consider their employment options during transition”. Supporting greater employment was identified as an area of particular interest by the chair of the health and care board.

A city-region-wide target of 7 per cent of people with learning disabilities known to social services in employment by 2020 has been approved as part of the strategy – this represents a 60 per cent increase on the current employment rate of 4.4 per cent.

The implementation of the strategy is still in its early stages, meaning that it is hard to judge whether it is making a difference. However, as part of a 100-day challenge to kickstart its implementation, the strategy has already delivered additional investment to support more people into employment, work with schools to focus on developing employability skills and employer engagement to raise awareness of the issue. The city region is also developing a specialist employment service for people with a learning disability.

Efforts to boost the employment rate of people with learning disabilities sit alongside Working Well, a devolved employment support programme delivered across Greater Manchester, designed and jointly funded by the Greater Manchester Combined Authority (GMCA) and the Department for Work and Pensions (DWP).

Source: GMCA 2019

# CONCLUSION

Taken together, the government's year-on-year cuts to education budgets, including the high needs block, as well as features of the current EHC system, are at odds with their stated commitment to increasing employment among people with SEND.

The net effect of recent changes has been a substantially reduced EHC offer, a hollowing out of wider SEND provision (meaning a shift towards a far larger focus on those with the most complex needs only), and low levels of access to transitional and in-work support. For individuals with learning disabilities, and their families, the potential impacts include:

- many children and young people not getting the support they need to get the education, training, and preparation for adulthood that they are entitled to, and that will help them prepare for employment and adulthood
- an increased risk of children and young people being excluded from school or dropping out of the education system prematurely.
- high levels of stress and worry.

Overall it is likely to be harder to provide good quality of life for individuals with SEN and their families, both now and in the future. The costs to society and the taxpayer, which include higher levels of support through the life course, and greater exclusion of people with SEND, are likely to be substantial.

This is clearly short-sighted. At the heart of recent measures has been an implicit belief that the support for children and young people is a *cost* to the taxpayer, to be minimised, rather than an **investment** in our collective wellbeing and a just economy.

This view persists at a local level as well, however, it is in part a product of a centralised funding system, and a siloed approach to accountability, which means that organisations such as schools and councils are strongly incentivised to reduce costs within their part of the system, without regard for the impacts of their actions on long-term and system-wide costs to the individual, to the taxpayer and to society.

This has to change. We need to move away from a model of SEND based on deficit and needs, towards one characterised by an emphasis on what young people are able to do and to be. This should include widening the opportunities and choices available to them to be able to live a life that they have reason to value. This needs to start with acknowledgement of the rights of disabled young people to full participation in community life, including employment (Runswick-Cole and Hodge 2009; Goodley et al 2014).

## RECOMMENDATIONS

The need for a long-term and sustainable settlement for education in general and SEND support in particular is becoming overwhelming. The chancellor has declared austerity to be 'over', and has even implied that austerity measures have been counterproductive to achieving his government's stated goal of deficit reduction.<sup>18</sup> Yet the crisis in SEND provision continues to get worse.

- 1. Address the funding crisis in local provision.** The government should use the 2019 spending review to set schools funding on a sustainable footing, including funding for those with learning disabilities. This should include:
  - reversing the real terms cuts in education funding to local authorities since 2015
  - increasing the high needs block to account for the rise in demand for EHC plans.

Beyond the funding crisis, however, there is considerable work to do to ensure that young people with learning disabilities get support that properly prepares them for independent living, and employment in particular. Support through EHC plans, for example, should be closely tailored to individual needs and where appropriate for the young person in question should include a focus on employment from age 14.

- 2. Government should allow young people with learning disabilities to retain support provided through EHC Plans for the first year of employment.**

Supported internships offer a viable route into work for many young people with learning disabilities. However, in order to achieve a step change in the number of opportunities, the government needs to properly fund local efforts to build employer engagement, and design and deliver programmes. In 2017, the government set up a £9.7million fund for local areas to create new supported internships – if they are serious about boosting employment among people with learning disabilities then they should substantially increase the size of this fund.

- 3. Government should substantially increase the amount of funding available to develop support internship programmes.**

In addition, local and combined authorities should do the following.

- 4. Acknowledge the importance of raising employability among adults with learning disabilities within local industrial strategies.**
- 5. Develop dedicated pathways to support young people with learning disabilities into apprenticeships, supported internships and sustainable employment opportunities.** This should include measures to encourage employers to offer supported internships and other appropriate opportunities, including through employer charters.
- 6. Pioneer a positive vision for young people with disabilities at a national and regional level,** working closely with key stakeholders in the private sector and civil society including identifying key examples of good practice and using these to promote and celebrate the benefits of working with young people with disabilities.
- 7. Use the opportunities of health and social care devolution, including through Integrated Care Systems, to develop place-based approaches to support for people with learning disabilities.**

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<sup>18</sup> See: <https://www.tuc.org.uk/blogs/chancellor-finally-admits-austerity-was-political-choice>

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# APPENDIX: REGIONAL BREAKDOWN OF PER CAPITA HIGH NEEDS BLOCK FUNDING

**TABLE A.1**

Total high needs block funding per eligible child/young person (number of EHC plans and statements of SEN)

Region	2014/15	2015/16	2016/17	2017/18	2018/19*	Change 2014/15 to 2018/19
North East	£23,223	£23,308	£21,487	£20,141	£18,300	-21%
North West	£24,247	£24,220	£22,529	£20,029	£18,428	-24%
Yorkshire and the Humber	£22,696	£22,998	£21,220	£19,326	£18,030	-21%
<b>Total: North of England</b>	<b>£23,560</b>	<b>£23,662</b>	<b>£21,916</b>	<b>£19,823</b>	<b>£18,275</b>	<b>-22%</b>
West Midlands	£20,226	£20,381	£19,598	£19,319	£17,579	-13%
East Midlands	£23,460	£23,229	£22,549	£22,308	£20,827	-11%
London	£27,963	£27,581	£26,017	£25,301	£22,983	-18%
East of England	£19,730	£19,883	£19,132	£18,207	£17,024	-14%
South East	£22,613	£22,354	£20,708	£20,134	£18,503	-18%
South West	£21,916	£22,016	£20,512	£20,355	£18,791	-14%
<b>Total: England</b>	<b>£23,154</b>	<b>£23,111</b>	<b>£21,746</b>	<b>£20,793</b>	<b>£19,120</b>	<b>-17%</b>

Note: includes additional high needs funding announced December 2018

Source: IPPR North analysis of DfE Dedicated schools grant (DSG): 2013/14 to 2018/19 financial year allocations; DfE statements of SEN and EHC plans: England, 2014-18





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