

## Government Urged to Preserve Legal Protections for Children with Special Educational Needs

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— Categories: Human Rights



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As the Government prepares to unveil major reforms to the special educational needs and disabilities (SEND) system, a coalition of over 130 charities and parent organisations has issued a firm warning against any erosion of the legal rights afforded to vulnerable children.

The Disabled Children's Partnership (DCP) has published a comprehensive report calling for the retention and reinforcement of Education, Health and Care Plans (EHCPs), which provide tailored support for young people with complex needs. The document urges ministers to

avoid cost-cutting measures that may restrict access to essential services for families already facing significant challenges.

The number of EHCPs in force across England rose to 638,745 in January 2025, an increase of more than 10% compared with the previous year. While this growth places additional pressure on local authorities, the DCP argues it reflects a growing reliance on EHCPs to secure basic support that mainstream education settings often fail to provide without statutory backing.

“The Government must not dilute existing rights and protections, or restrict access to education, health and care plans for those who continue to need them,” the report warns. It highlights concerns that councils see the system as unsustainable, but asserts that the rising demand is the result of inadequate baseline provision in schools, not misuse or over-application.

The coalition’s call to action includes a series of concrete recommendations: guaranteed legal entitlements to support, increased funding for local authorities, and comprehensive planning at the regional level to balance mainstream and specialist education placements.

Anna Bird, chair of the DCP and chief executive of Contact, emphasised the need for a reform agenda that works with families rather than against them.

“Children with SEND want ordinary things: a safe place to learn, to take part in after-school activities, and for their parents to be able to work and support them. This is a once-in-a-generation opportunity to make children and families’ lives better,” Bird said.

Personal testimony included in the report underscores the daily challenges families face. Tobias Lambe, a 21-year-old medical student from Warwickshire, shared how his education journey was derailed by the difficulty of securing an EHCP, despite clear need.

“It’s taken a huge fight and countless battles with schools, healthcare providers and local authorities for me to get to where I am,” Lambe said. “Not every family can fight that battle, and none should have to.”

The Department for Education (DfE) has insisted that reform efforts will maintain legal protections. A spokesperson said:

“This Government inherited a SEND system left on its knees, which is why we are listening closely to families as we work to ensure more children can thrive in their local school. The Education Secretary has been clear: there will always be a legal right to additional support for children with SEND.”

While early investments and policy adjustments are already underway, including a £740 million package to expand specialist provision, the upcoming white paper, expected this autumn, will be the clearest signal yet of the Government’s long-term direction.

With thousands of families depending on consistent and enforceable support mechanisms, the stakes could not be higher. The decisions taken in the coming months will determine whether reforms deliver meaningful progress or risk pushing already strained families further to the margins.