

## Summary: Intervention & Options

Department /Agency: <b>DEPARTMENT FOR CHILDREN, SCHOOLS AND FAMILIES</b>	Title: <b>Impact Assessment of : The Education (Special Educational Needs Co-ordinators) (England) Regulations 2008</b>	
Stage: Consultation	Version: V.3	Date: 17/03/2008
Related Publications: Education Act 1996, Education and Inspections Act 2006		

Available to view or download at:

<http://www.dcsf.gov.uk/consultations/>

Contact for enquiries: Chris Hirst

Telephone: 020 7273 1211

What is the problem under consideration? Why is government intervention necessary?

Special Educational Needs Co-ordinators (SENCOs) have a key role to play within schools to ensure effective provision for children and disabilities. The Education and Skills Select Committee have expressed concerns that there are inconsistencies in the role, status and training of SENCOs in schools. The Government wants to strengthen the role of SENCOs within the leadership and managements arrangements in schools by ensuring that the SENCO role is carried out by a qualified teacher.

What are the policy objectives and the intended effects?

To improve outcomes for individual children with SEN and disabilities by ensuring effective co-ordination arrangements at school level. The regulations require the SENCO to be either a qualified teacher, the head teacher, or appointed acting head teacher, or a person carrying out the role for at least six months before the regulations come into force, who has shown reasonable prospect of becoming a qualified teacher within a period of two years from the coming into force date.

What policy options have been considered? Please justify any preferred option.

Two options have been considered:

1. To make no change to the current arrangements, ie that there is no specific requirement for the SENCO to be a qualified teacher;
2. To introduce such a requirement.

The second option meets the Government's objective of strengthening the role of SENCOs within the leadership and management arrangements for schools.

When will the policy be reviewed to establish the actual costs and benefits and the achievement of the desired effects? From 2011, assuming that the coming into force date of the regulations is September 2009. This allows for the elapse of the two year transitional period.

**Ministerial Sign-off** For consultation stage Impact Assessments:

*I have read the Impact Assessment and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options.*

Signed by the responsible Minister:



18 March '08

Date:



## Summary: Analysis & Evidence

<b>Policy Option:</b>	<b>Description:</b>
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<b>COSTS</b>	<b>ANNUAL COSTS</b>		Description and scale of <b>key monetised costs</b> by 'main affected groups' Cost of school staffing adjustments in CSR years 2009-10 and 2010-11.		
	<b>One-off</b> (Transition)	<b>Yrs</b>			
	£ 4.4m	2			
	<b>Average Annual Cost</b> (excluding one-off)				
	£			<b>Total Cost (PV)</b>	£ Not estimated
Other <b>key non-monetised costs</b> by 'main affected groups' N/A					

<b>BENEFITS</b>	<b>ANNUAL BENEFITS</b>		Description and scale of <b>key monetised benefits</b> by 'main affected groups'		
	<b>One-off</b>	<b>Yrs</b>			
	£ Not known				
	<b>Average Annual Benefit</b> (excluding one-off)				
	£ Not known			<b>Total Benefit (PV)</b>	£
Other <b>key non-monetised benefits</b> by 'main affected groups' Strengthening and enhancing the role of the SENCO, leading to more effective provision for the 1.5 million children in England who have statements or SEN without statements. The progress of children with SEN, by narrowing the gap in educational achievement with their peers, is critical to achievement of the 2020 goals.					

### Key Assumptions/Sensitivities/Risks

An estimated very small number of schools where the SENCO is not a qualified teacher may need to undertake staffing adjustments.

Price Base Year	Time Period Years	Net Benefit Range (NPV) £	NET BENEFIT (NPV Best estimate) £ Not estimated
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What is the geographic coverage of the policy/option?				England	
On what date will the policy be implemented?				September 2009	
Which organisation(s) will enforce the policy?				Governing bodies	
What is the total annual cost of enforcement for these organisations?				£	
Does enforcement comply with Hampton principles?				Yes	
Will implementation go beyond minimum EU requirements?				No	
What is the value of the proposed offsetting measure per year?				£ 0	
What is the value of changes in greenhouse gas emissions?				£ 0	
Will the proposal have a significant impact on competition?				No	
Annual cost (£-£) per organisation (excluding one-off)		Micro	Small	Medium	Large
Are any of these organisations exempt?		Yes/No	Yes/No	N/A	N/A

<b>Impact on Admin Burdens Baseline</b> (2005 Prices)			(Increase - Decrease)
Increase of £	Decrease of £	<b>Net Impact</b>	£

Key:    Annual costs and benefits: Constant Prices    (Net) Present Value



## Evidence Base (for summary sheets)

[Use this space (with a recommended maximum of 30 pages) to set out the evidence, analysis and detailed narrative from which you have generated your policy options or proposal. Ensure that the information is organised in such a way as to explain clearly the summary information on the preceding pages of this form.]

The intention of the Education (Special Educational Needs Co-ordinators) (England) Regulations 2008 is to require that special educational needs co-ordinators (SENCOs) in community, foundation, voluntary and maintained nursery schools in England be qualified teachers or head teachers (it is possible to be a head teacher without full qualified teacher status (QTS) if the head teacher was appointed before the qualification was introduced). Head teachers do in some cases carry out the role of the SENCO, especially in smaller primary schools.

The then Education and Skills Select Committee recorded some concerns about the SENCO role in schools in its first report (July 2006), recommending that SENCOs in all cases should be qualified teachers. The Government concurs with this view. SENCOs have a key role to play within schools to ensure effective provision for children with SEN and disabilities, and the Government wishes to strengthen the role of SENCOs within the leadership and management arrangements in schools. Aspects of the role - which can be appropriately supported by non-teaching staff either as individuals or as part of a team - which the DCSF considers should fall to qualified teachers include:

- Ensuring that needs are identified and met at School Action and School Action Plus stages;
- Developing and monitoring, with the head teacher, governing body, senior leadership team, staff and pupils, the school's SEN policy so that the needs of children with SEN and disabilities can be reflected in whole-school policies and planning;
- Advising the head teacher, governing body and senior leadership team on securing and deploying resources to support provision for children with SEN and disabilities;
- Ensuring teaching staff get the advice they need on modifying teaching approaches and strategies, planning and delivering interventions for children with SEN and disabilities, including leading by direct example and by direct involvement where necessary, coaching mentoring and supporting the development needs of others, including support staff.

As the contribution of non-teaching staff in schools has increased in recent years, it may be that in some instances the SENCO role is currently carried out by a Teaching Assistant or member of the school's support staff. Very little information exists information on the number of non-QTS or headteacher SENCOs. A request for information about SENCOs, posted on the NAHT website in 2006, elicited 95 replies, 9% of whom did not have QTS. This would amount to some 1890 staff in 21,000 mainstream schools. There are, however, risks in basing judgements on such a small and unrepresentative sample. The DCSF view is that the number of non-teacher SENCOs is likely to be much lower – 1% to 2% - some 315 staff in total.

It is difficult to cost the adjustments to school staffing or cover arrangements to accommodate the new requirement with any degree of precision. If a school has a Teaching Assistant in the SENCO role, it will be necessary to redeploy them for part of their time and assign an existing teacher to undertake the leadership and management elements, "backfilling" if necessary any teaching time relinquished to carry out the SENCO role. Assuming that backfilling of teacher time amounts to 25% of a full time post (again, precise figures are hard to determine as the demands of the role will vary according to the size and type of the school), it will cost around £2.2m a year. The calculation is based on a cover rate of £150 per day, equating to £7,125 at 0.25 FTE x 315, = £2.245 million.

## Specific Impact Tests: Checklist

Use the table below to demonstrate how broadly you have considered the potential impacts of your policy options.

**Ensure that the results of any tests that impact on the cost-benefit analysis are contained within the main evidence base; other results may be annexed.**

Type of testing undertaken	<i>Results in Evidence Base?</i>	<i>Results annexed?</i>
Competition Assessment	Yes/No	Yes/No
Small Firms Impact Test	Yes/No	Yes/No
Legal Aid	Yes/No	Yes/No
Sustainable Development	Yes/No	Yes/No
Carbon Assessment	Yes/No	Yes/No
Other Environment	Yes/No	Yes/No
Health Impact Assessment	Yes/No	Yes/No
Race Equality	Yes/No	Yes/No
Disability Equality	Yes/No	Yes/No
Gender Equality	Yes/No	Yes/No
Human Rights	Yes/No	Yes/No
Rural Proofing	Yes/No	Yes/No

## Annexes

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