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Confidential Filing

Committee of enquiry into the education
of handicapped children and young people.
(Warnock Report).

EDUCATION

February 1980

Referred to	Date	Referred to	Date	Referred to	Date	Referred to	Date
18.2.80							
3.3.80							
17.7.80							
22.7.80							
PREM 19/201							

TO BE RETAINED AS TOP ENCLOSURE

Cabinet / Cabinet Committee Documents

Reference	Date
H(80) 14	15.2.80
H(80) 5th Meeting, Minute 2	19.2.80
H(80) 56	16.7.80
H(80) 60	17.7.80
H(80) 18th Meeting, Minute 4	22.7.80

The documents listed above, which were enclosed on this file, have been removed and destroyed. Such documents are the responsibility of the Cabinet Office. When released they are available in the appropriate CAB (CABINET OFFICE) CLASSES

Signed Wayland

Date 23 February 2010

PREM Records Team

Original filed Nat. Health (July 79)

PRIME MINISTER

and 2
Education

Statements in the House

Mr. Jenkin's statement on Lambeth, Southwark and Lewisham (Flag A) went off surprisingly peacefully today. Mr. Orme asked a number of detailed questions about the status of decisions that had been taken by the Commissioners and demanded adequate Parliamentary time for discussion of the Validation Bill. He said it would have been better for Mr. Jenkin to offer his apology last week rather than today. Mr. Mellish said that it was "a sad, sorry and abject story". Christopher Price said that Mr. Jenkin had been warned on the day of his announcement last August that his action was illegal.

Mr. Jenkin said that he had not decided last week whether to appeal so that an apology then would not have been appropriate. He said that many of the questions which had been asked would be resolved by his Bill. As far as the two hospitals which had been closed were concerned, their future would be for the new authority to decide. The important thing was that the new authority had undertaken to reach decisions within its cash limit.

Eric Heffer erupted with cries of "resign" from time to time and Bob Cryer reminded Mr. Jenkin of Criche! Down. Apart from these sustained calls for his resignation, there was less pressure on Mr. Jenkin than might have been expected. He replied quietly and with some dignity, and on the whole did pretty well.

Education

Mr. Carlisle's statement on Warnock (Flag B) went off very quietly. He said that his White Paper would be published in the early summer and referred all detailed questions to decisions to be announced then. Nothing very sensational was raised from either side of the House.

MS

3 March 1980

cc. M. Patton.
MONDAY 3 MARCH 1980

STATEMENT ON THE WARNOCK REPORT

MR MARK CARLISLE

WITH PERMISSION, MR SPEAKER, I WISH TO MAKE A STATEMENT ON THE WARNOCK REPORT.

THE COMMITTEE UNDER THE CHAIRMANSHIP OF MRS WARNOCK PRESENTED ITS REPORT IN MARCH 1978. SHORTLY AFTERWARDS A CONSULTATION DOCUMENT WAS ISSUED TO SEEK THE VIEWS OF THE MANY ORGANISATIONS CONCERNED WITH THE EDUCATION, HEALTH AND WELFARE OF THE HANDICAPPED. THEIR RESPONSES WERE ALMOST WHOLLY FAVOURABLE. IN ADDITION A THOROUGH INTER-DEPARTMENTAL STUDY OF THE REPORT'S RECOMMENDATIONS HAS NOW BEEN MADE AND COMPLETED WITHIN GOVERNMENT. IN VIEW OF THE ANXIETIES EXPRESSED ON BOTH SIDES OF THE HOUSE DURING DISCUSSION OF THE PROVISIONS OF CLAUSE 9 OF THE EDUCATION (No 2) BILL WE HAVE DECIDED THAT IT WOULD BE RIGHT TO ANNOUNCE AT ONCE THE GOVERNMENT'S RESPONSE TO THE REPORT. MY RT HON FRIEND THE SECRETARY OF STATE FOR SCOTLAND WILL BE DEALING SEPARATELY WITH THE APPLICATION TO SCOTLAND.

THE CENTRAL RECOMMENDATION OF THE REPORT WAS THAT, IN THE LIGHT OF THE EXPERIENCE GAINED SINCE THE PASSING OF THE EDUCATION ACT 1944, THE CONCEPT OF SPECIAL EDUCATIONAL TREATMENT APPROPRIATE TO DEFINED CATEGORIES OF BODILY OR MENTAL HANDICAP SHOULD BE REPLACED BY THAT OF THE SPECIAL EDUCATIONAL NEEDS OF INDIVIDUAL CHILDREN. SUCH A CHANGE, WHICH WOULD REFLECT

ENLIGHTENED CURRENT PRACTICE, WAS WELCOMED BY THE BODIES WE CONSULTED. THE GOVERNMENT ACCEPT THE ARGUMENTS IN THE REPORT FOR CHANGES IN THE CURRENT STATUTORY PROVISIONS RELATING TO SPECIAL EDUCATIONAL TREATMENT AND INTEND TO INTRODUCE EARLY LEGISLATION TO ENACT A NEW FRAMEWORK SUBSTANTIALLY ON LINES RECOMMENDED IN THE REPORT. THE NEW LEGISLATION WILL INCORPORATE PROVISIONS DESIGNED TO SAFEGUARD THE INTERESTS OF CHILDREN WITH SEVERE OR COMPLEX SPECIAL EDUCATIONAL NEEDS, INCLUDING ARRANGEMENTS FOR MORE WIDELY BASED ASSESSMENT AND FOR THE RECORDING OF INDIVIDUAL NEEDS.

THE LEGISLATION WILL ALSO DEFINE AND PROTECT THE RIGHTS OF PARENTS TO ADEQUATE INFORMATION AND CONSULTATION ABOUT THE EDUCATION OFFERED FOR THEIR CHILDREN TAKING ACCOUNT OF THE RELEVANT RECOMMENDATIONS OF THE REPORT AND IN THE SPIRIT OF THE PROVISIONS ABOUT INFORMATION AND PARENTAL PREFERENCE EMBODIED IN THE EDUCATION (NO 2) BILL.

MANY OF THE OTHER RECOMMENDATIONS IN THE WARNOCK REPORT WERE NOT ADDRESSED DIRECTLY TO GOVERNMENT, BUT TO THOSE CONCERNED WITH THE LOCAL PROVISION OF EDUCATION, HEALTH AND WELFARE SERVICES. SOME RECOMMENDATIONS, FOR EXAMPLE THOSE RELATING TO NURSERY EDUCATION, TEACHER TRAINING AND FURTHER AND HIGHER EDUCATION, HAVE MAJOR IMPLICATIONS FOR CENTRAL AND LOCAL GOVERNMENT EXPENDITURE AND THEIR IMPLEMENTATION MUST BE CONSIDERED IN THE LIGHT OF THE ECONOMIC SITUATION AND THE NEED FOR RESTRAINT WHICH IT ENTAILS. THE GOVERNMENT'S CURRENT EXPENDITURE PLANS PROVIDE FOR THE MAINTENANCE OF EXPENDITURE ON SPECIAL EDUCATION AT ITS PRESENT LEVEL DESPITE THE FALL IN THE SIZE OF THE RELEVANT AGE GROUPS.

WE PROPOSE TO LAY BEFORE PARLIAMENT IN DUE COURSE A WHITE PAPER OUTLINING THE FORM THE NEW LEGISLATION MIGHT TAKE AND DEALING WITH OTHER RECOMMENDATIONS MADE BY THE WARNOCK COMMITTEE.

IN CONCLUSION I WOULD LIKE TO CONGRATULATE MRS WARNOCK AND THE MEMBERS OF HER COMMITTEE FOR THEIR CAREFULLY PRESENTED CONSIDERATION OF THE MANY ISSUES SURROUNDING THE EDUCATION OF HANDICAPPED CHILDREN AND YOUNG PERSONS. THEIR REPORT WILL I AM SURE BE A CONSTANT SOURCE OF REFERENCE FOR MANY YEARS TO COME FOR ALL WITH AN INTEREST IN THE DEVELOPMENT OF SPECIAL EDUCATION.

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JS
Education

3 March 1980

The Prime Minister has seen your Secretary of State's minute of 29 February, conveying his decision about Erith School. She has noted that he will be informing Bexley LEA of his conclusion this week.

As I mentioned to you on the telephone, the Prime Minister has expressed some surprise at the decision now reached by your Ministers, as Mr. Carlisle and Lady Young had forecast the opposite decision when they saw the Prime Minister recently.

MAP

Peter Shaw, Esq.,
Department of Education and Science.

GC

JT



Education
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FROM THE SECRETARY OF STATE

M A Pattison Esq
Private Secretary
10 Downing Street
LONDON SW1

3 March 1980

Dear Mike,

I attach a copy of the statement which my Secretary of State proposes to make this afternoon in the House of Commons about the Government's response to the Warnock Committee Report "Special Educational Needs". A parallel statement in the House of Lords will be made by the Minister of State, Baroness Young.

Yours ever,

Robert Green

R J GREEN
Private Secretary

Published Papers

The following published paper(s) enclosed on this file have been removed and destroyed. Copies may be found elsewhere in The National Archives.

House of Commons Hansard, 3 March 1980

Columns 42 - 55

"Handicapped Children (Educational
Treatment)

Signed Awayland Date 23 February 2010

PREM Records Team



10 DOWNING STREET

PRIME MINISTER

Mr Carlisle told you last week that he was likely to accept the Bexley LEA proposal to split Erith School.

He and Lady Young have spent a lot of time on the problem, and have now concluded that the right course is to reject the LEA proposal to split the school. This is the opposite of what he forecast last week. He knows that either choice would cause problems, but is now satisfied that he has got it right.

He will tell Bexley LEA of this decision next week.

29 February 1980

What bothers me is the complete U-turn around within a week. me

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PRIME MINISTER

When Janet Young and I met you last week I mentioned the very difficult Section 13 proposal I had in front of me from Bexley LEA about Erith School, and I said I would let you know my final decision.

The school is a large one (12 forms of entry) and on two sites. Bexley has a selective system and Erith, alone among Bexley's schools, is so organised that it admits both selective and non-selective pupils. The proposal is to split the school, establishing a grammar school on one site and a secondary modern on the other thereby getting rid of a big school on split sites, and in the view of the Authority, increasing Erith's attractiveness to selective pupils.

My initial reaction was that this was the sort of proposal that we would be very willing to approve - but on closer examination there turns out to be overwhelming arguments against the proposal. I will not trouble you with rehearsing them, save to say that there were two considerations which particularly strongly influenced me. The first is the enormous strength of support for Erith School in the northern part of the borough which supplies most of its pupils. Apart from overwhelming support from parents, the great majority of its teaching staff, and almost all of its governors, for retaining the school as it is, I have had a petition signed by over 12,000 people. Secondly, I am convinced that the educational provision and opportunities available for non-selective pupils, who are as high as 87% in this part of the borough, would be worsened if the school were split. The premises earmarked for use by the proposed secondary modern school are very much sub-standard - half the teaching spaces are in temporary accommodation and it is the view of the Inspectorate that the facilities would be amongst the worst in the country. Moreover, under present arrangements the more able non-selective pupils can transfer at ease to the more academically demanding courses within the school (about 30 per year do so) and to the sixth form in the school (88 in 1979) and this facility, which elsewhere in Bexley is almost non-existent, would disappear if the proposal were approved. Indeed, I have no doubt that it is these educational considerations which account for the strength of support for the school in the locality.

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I realise that my decision to reject the Bexley Authority's proposal will be vociferously opposed by some local Conservatives and may be questioned more widely in the Party. Bexley was among the handful of authorities which held out most strongly against Labour's compulsory reorganisation policy. But my Education Act 1979 has already saved their existing grammar schools and has made it possible for them to retain their selective system. The future of Erith School was not at issue in the Authority's battle with Mrs Williams and I think it is absolutely essential that I should be seen to be deciding section 13 proposals on their individual merits. Indeed, with a number of difficult proposals coming forward, I believe there is positive political gain in showing that to be so.

I shall be communicating my decision to Bexley next week.

T.A. Shaw

pp

MARK CARLISLE

29 February 1980

(Approved by the Secretary
of State and signed in his
absence)

CONFIDENTIAL

Education

Original on Education Feb 1980
Payments to school & college
governors.

PRIME MINISTER

H minutes covering three items:

(i) The Committee agreed to have a Local Government (Miscellaneous Provisions) Bill, but with no great urgency;

(ii) Mr. Carlisle received clearance for a statement on the Warnock Report. I understand that he did mention your reservations;

(iii) Mr. Carlisle did not, however, get far with his proposals for regularising payment to schools and college governors. I understand that the value of the voluntary principle was heavily stressed. The Committee favoured only travel and subsistence expenses, but rejected a financial allowance for the duties.

Liswell

and [Signature]

20 February 1980



10 DOWNING STREET

From the Private Secretary

19 February 1980

Your Secretary of State and Lady Young this morning discussed with the Prime Minister a paper (H(80)14) on the Warnock Report.

The Prime Minister made it clear that she did not intend to put any obstacle in the way of your Secretary of State proceeding as proposed. But she did wish to put across to him her personal view that the proposals could be controversial, could increase delay in dealing with individual cases, and might well produce no ultimate improvement in provision for children with special requirements. The existing special schools in many cases provided relatively higher standards of teaching than were available in the main school sector. She had looked to Mrs. Warnock to produce practical proposals, growing out of her experience as a top quality head mistress. She was concerned that the result would be an enormous increase in the bureaucracy surrounding special educational needs.

Your Secretary of State and Lady Young explained that there would be no dramatic change, and that it would be made clear that the lack of funding for new activity limited the scope for action at present. What they had in mind was, nevertheless, a change in concept. There was a continuum of treatment appropriate to children with particular needs. The Warnock message was that the best available quality of education should be there for all to benefit from. Parents would have statutory rights to receive information about the assessment of their children, and they would be present when that assessment was made.

The Prime Minister reaffirmed that she did not intend to require changes in the proposed approach, although she maintained her personal doubts.

There was also some discussion about your Secretary of State's written answer today on the examination system, and about Erith schools' organisation. I understand that your Secretary of State intends to report to the Prime Minister on the latter point in the course of the week.

/I am sending

I am sending copies of this letter to Godfrey Robson (Scottish Office), George Craig (Welsh Office) and David Wright (Cabinet Office). I would be grateful if they could ensure that the letter is seen only by those who have a need to be aware of this morning's discussion.

M. A. PATTISON

Peter Shaw, Esq.,
Department of Education and Science.



Education

10 DOWNING STREET

PRIME MINISTER

This paper on the Warnock Report is due to be taken in H on Tuesday afternoon.

In view of your doubts, we have arranged for Mr. Carlisle (with Mr. Edwards and Lady Young if he wishes) to call on you at 1030 on Tuesday to explain why he wishes to go ahead with these proposals now.

Content to have this meeting, in order to enable Mr. Carlisle to take the matter through H later in the day?

MA

18 February 1980

