

NORTH YORKSHIRE COUNCIL

18 March 2026

Report of the Children and Families Overview and Scrutiny Committee regarding the Motion Referred on 12 November 2025

Report of the Assistant Chief Executive (Legal and Democratic Services)

1.0 Purpose of the Report

- 1.1 To outline the considerations and recommendations of the Children and Families Overview and Scrutiny Committee to full Council following its review of the Motion on 17 December 2025 as referred from full Council on 12 November 2025.

2.0 Background

- 2.1 At the meeting of full Council on 12 November 2025, the Chair agreed that a Notice of Motion regarding the request that the Leader of the Council write to the Secretary of State to ask that the SEND review consider a number of actions, should be referred to Scrutiny Board, for the purpose of determining which overview and scrutiny committee would be most appropriate to consider the Motion further and to bring back its recommendations to full Council. Scrutiny Board determined on 15 November 2025 that the Motion would be referred to the Children and Families Overview and Scrutiny Committee.
- 2.2 The Notice of Motion referred to the committee was proposed by Councillor Barbara Brodigan and seconded by Councillor Andrew Timothy. The wording of the Motion was as follows:
- 2.3 Council notes that:
- In December 2024 the Government introduced the Children’s Wellbeing and Schools Bill, with an overall aim to better protect children and raise standards in education.
 - The Government also announced £740 million in new funding to support SEND pupils and those needing alternative education within mainstream schools. Inclusion remains the overarching policy, so that our children and young people are educated together with their peers in their own community, where appropriate.
 - The Special Educational Needs and Disabilities (SEND) system is under severe strain, with some families struggling to secure vital support for their children which is compounded by some schools and councils struggling to provide the necessary support.
 - Children with SEND deserve the same opportunities as every child, including access to the support they need to thrive both in school and in life.
 - Research commissioned by the Liberal Democrats has revealed that private equity-backed SEND providers are making over £100 million a year in profits, with some achieving margins of over 20%.
 - Many of these companies are backed by firms registered in tax havens or foreign sovereign wealth funds.

Council believes that:

- Profiteering from the needs of children with SEND is unacceptable and must end.
- Children with SEND are not commodities for profit and should never be treated as such.

- Resources must be directed into improving provision and outcomes for children, not into shareholder dividends or inflated executive pay.
- North Yorkshire Council should be supported to provide sustainable, high-quality inclusive SEND provision within both their mainstream and specialist settings; including by building and operating their own schools to accommodate those with the most complex needs if necessary.

Council welcomes:

- Government action to curb profiteering in children’s social care. Through the Children’s Wellbeing and Schools Bill, it has introduced powers to cap the profits of providers of illegal or exploitative children’s homes, alongside enhancing financial transparency and greater enforcement by Ofsted.
- The Government review of the SEND and Alternative Provision system which is due to be published in the Autumn.
- The proactive work of hard-working officers in North Yorkshire Council to improve our SEND services.

Council resolves to:

- Call on the Government to eradicate the profits of private SEND providers, including sanctions against providers who breach this, with any profits returned to local authorities.
- Support further reforms to boost the SEND system, including strong financial oversight of providers, transparency, and new powers and funding for councils to build and manage local mainstream and specialist provision directly.
- Endorse the principle that Government SEND reforms must put children first—not corporate greed.
- Request the Leader of the Council to write to the Secretary of State for Education to ask that the SEND review consider action in line with the above.

2.4 Under section 11 of the Council’s Procedure Rules, where a Motion is referred from Council to a committee (such as overview and scrutiny), the committee considers the Motion and reports back with its recommendations. As such it is the committee’s recommendations which then become the substantive Motion put before the Council and not the original Motion.

2.5 The Constitution also guides that at full Council, “there will be no moving of amendments in relation to, questions upon or any other discussion of or questions on the Motion prior to the vote upon it.” As such it is important that the committee provides clear, concise recommendations in its report, including any necessary amendments made to the Motion.

2.6 The Children and Families Overview and Scrutiny Committee met on 17 December 2025 to consider the Motion further, with a view to reporting back with its recommendation to full Council on 18 March 2026.

3.0 Consideration of the Motion by the Children and Families Overview and Scrutiny Committee

3.1 The papers for the meeting of the Children and Families Overview and Scrutiny Committee meeting on 17 December 2025 can be accessed via the following link [Agenda for Children and Families Overview and Scrutiny Committee on Wednesday, 17 December 2025, 10.00 am | North Yorkshire Council](#)

3.2 A summary of the discussion held at the committee meeting is provided below [Printed minutes Wednesday 17-Dec-2025 10.00 Children and Families Overview and Scrutiny Committee.pdf](#)

3.3 Having considered the officer report in full, together with the representations by Councillor Barbara Brodigan and the discussion of the Members at the committee meeting, the Children and Families Overview and Scrutiny Committee agreed to recommend the following to full Council: That the Motion is not supported.

4.0 Recommendations of the Children and Families Overview and Scrutiny Committee

4.1 Having reviewed the officer report and taken into account the views expressed by Members at the committee meeting, the committee agreed the following:

- (a) That the Motion referred, as written, is not upheld. It was commented that if private providers stopped making a profit, they would withdraw their services, leaving children without any support at all.

5.0 Financial Implications

5.1 There are no significant financial implications arising from this report.

6.0 Legal Implications

6.1 There are no significant legal implications arising from this report.

7.0 Equalities Implications

7.1 There are no significant equalities implications arising from this report.

8.0 Climate Change Implications

8.1 There are no significant climate change implications arising from this report.

9.0 Recommendation on the Motion referred

9.1 That full Council considers the recommendations of the Children and Families Overview and Scrutiny Committee, namely to not uphold the Motion as written (see 2.3) regarding the request that the Leader of the Council write to the Secretary of State to ask that the SEND review consider a number of actions as outlined in the Motion.

Background Documents:

Constitution of North Yorkshire Council – [Constitution | North Yorkshire Council](#)

Barry Khan
Assistant Chief Executive Legal and Democratic Services
County Hall
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10 March 2026

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Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.