

ORDINARILY AVAILABLE PROVISION POSITION STATEMENT

This is an overview or outline of the key legislation/SEND Code of Practice and any other relevant sources of guidance.

‘Ordinarily available provision’ is a phrase, first used in 2023 in the Department for Education’s (DfE) [SEND and Alternative Provision Improvement Plan](#), to describe the provision that a local authority expects to be made available for children and young people with SEND in early years settings, mainstream schools, and colleges from within their own resources.

The SEND Code of Practice 0-25 (January 2015) states that “A pupil has SEN where their learning difficulty or disability calls for special educational provision, namely provision different from or additional to that normally available to pupils of the same age. Making higher quality teaching normally available to the whole class is likely to mean that fewer pupils will require such support. Such improvements in whole-class provision tend to be more cost effective and sustainable”.

The concept of ordinarily available provision reflects this principle within the SEND Code of Practice, recognising that many pupils’ needs can and should be supported through high-quality teaching and inclusive practice within mainstream settings.

This is a general picture in England and Hertfordshire and any common views/positions held by key SEND organisations and then outlines the local situation in Hertfordshire as we see it.

Local authorities and SEND partnerships publish their own guidance on ordinarily available provision on their local offer. Hertfordshire County Council developed and published their Ordinarily Available Provision guidance in 2025.

The guidance is aimed at all early years settings, mainstream schools, and colleges in Hertfordshire.

It was developed in consultation with headteachers, special educational needs coordinators (SENCOs), members of Herts Parent Carers Forum (HPCI), and other professionals.

The Hertfordshire guidance references relevant legislation including the SEND Code of Practice 0-25 (January 2015), the Equality Act 2010 and the Children and Families Act 2014.

In Hertfordshire, support for children and young people with SEND is structured through the graduated approach, which begins with universal provision—ordinarily

available provision—and moves through targeted and specialist levels of support depending on the needs of the child or young person.

This is HPCI's position as an organisation.

As a minimum we want legal and SEND Code of Practice compliance. HPCI represents a wide spectrum of parent carer views, across the whole range of SEND. This means we will give equal weight to any opposing views held by parents on a topic.

HPCI recognises that high-quality universal ordinarily available provision is an essential part of the graduated approach. When implemented effectively, it can help ensure that children and young people receive the right support at the right time, without unnecessary delay or escalation.

HPCI supports the principles that ordinarily available provision should:

- Be individualized and needs driven rather than requiring a diagnosis
- Be clearly defined, transparent, and consistently applied across all education settings
- Ensure early identification and timely intervention
- Reduce unnecessary reliance on targeted and specialist support where needs can and should be met through ordinarily available provision
- Promote inclusion and prevent children and young people from being disadvantaged or excluded

However, for ordinarily available provision to be effective and meaningful, it must be:

1. Properly resourced
2. Consistently implemented following all relevant legislation
3. Focused on outcomes
4. Include quality communication with children and young people and parent carers
5. Involve appropriate collaboration with other professionals including but not limited to local authority support services, health, social care and voluntary sector organisations

Accountability and Implementation

HPCI recognises that the publication of ordinarily available provision guidance is an important step in supporting inclusive practice. However, the effectiveness of this guidance will depend on consistent, proactive implementation across all education settings.

HPCI therefore believes it is important that there are clear expectations, appropriate training, and sufficient resourcing to enable settings to deliver this provision in practice.

HPCI also believes that the impact of ordinarily available provision should be regularly reviewed to ensure that it is meeting the needs of children and young people with SEND and remains aligned with statutory duties under the SEND Code of Practice, the Children and Families Act 2014, and the Equality Act 2010.