

Education Predictions 2026

Expect significant reform to the SEND system

The current system for funding special educational needs and disabilities (SEND) support faces significant challenges, with increased demand and substantial funding deficits in local authority budgets. The recent Education Committee report called for mainstream education settings to become more inclusive, with access to specialist staff, appropriate equipment and an inclusive physical environment with a sustainable funding model. At the time of writing, a White Paper is expected which will propose reforms to the SEND system, particularly in relation to education, health and care plans. This uncertainty will continue to cause concern to parents and campaigners and we expect significant reforms will be made.

Freedom of speech may trigger higher fines in the future

In March this year, the University of Sussex was ordered to pay a record fine of £585,000 by the Office for Students for failing to uphold freedom of speech and academic freedom. This followed an investigation into the university's handling of the case of Professor Kathleen Stock, who resigned after protesters targeted her over her views on gender identification and transgender rights. The case raises questions about the balance between enforcing statutory duties, including to prevent harassment and hate speech, and ensuring academic freedom and freedom of speech. This may prompt further investigations and the Office for Students has indicated that there is the potential for future fines to be higher.

Financial pressure on the education sector will impact both choice and the quality of teaching and resources

The education sector remains under intense financial pressure at all levels. In mainstream settings, budget challenges remain with increased demand for special educational needs and disabilities support. Independent schools continue to feel the impact of the change in VAT legislation, with more than 50 schools closing or announcing plans to close. Falling student numbers have led other schools to undergo mergers or acquisitions. Universities are also under financial pressures with falling international admissions which may result in courses and departments being reduced. The recent merger of the Universities of Kent and Greenwich may be the first to come in a series of mergers/collaborations. The resulting impact on student/parent choice and the quality of teaching and resources is likely to be a significant risk for educational institutions but might create significant opportunities for those able to provide compelling, high quality specialist or differentiated programmes.

The extent of universities' duty of care will continue to spark debate

While the High Court declined to make any finding in relation to universities' duty of care in the Abrahart decision (in which the court found that a university had failed to make reasonable adjustments, which contributed to a student's death), this issue remains in the spotlight. A petition, led by the campaign group For The 100, calling for a statutory duty of care for students in higher education, was signed by over 128,000 and triggered a debate in Parliament in 2023. However, the government declined to take any further action citing the duties already held by universities. The extent of universities' duty of care towards students therefore remains unclear and will remain a live issue for some time with further claims likely to come.

Educational establishments should use the implementation period to prepare for their duties under Martyn's Law

The Terrorism (Protection of Premises) Act (often referred to as Martyn's Law) received Royal Assent in April 2025. Its aim is to require those with control of certain premises to take steps to reduce the risk of physical harm in the event of a terror attack and, for events and larger premises, to reduce the vulnerability to acts of terrorism. While there is a two tier approach, early years, primary, secondary and further education settings have a special consideration in place and will be in the standard tier, regardless of their capacity. Privately owned independent training providers and higher education establishments will be treated the same as other premises, with standard tier requirements for settings with a capacity of 200 to 799 people, and enhanced tier requirements for settings with 800 and above individuals. As a minimum, standard tier settings will need to have appropriate evacuation, invacuation, lockdown and communication procedures in place. Enhanced tier settings must assess the vulnerability of the premises or event to a terror attack and take reasonably practicable steps accordingly. The implementation period of at least 24 months from Royal Assent before the Act comes into force should be used to get to grips with the new obligations, and to plan and prepare accordingly.



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