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1. Aims of this file

Many children will, at some time in their lives, have special educational needs and/or disabilities (SEND). For some children these needs may be temporary, whilst for others they may be more long term. Most children will have their needs identified and met by their school, college or early years setting.

This file is mainly intended to give information about special needs support and arrangements in Durham Local Authority (LA) schools.

Local authorities **must** arrange for children with SEN or disabilities for whom they are responsible, and their parents, and young people with SEN or disabilities for whom they are responsible, to be provided with information and advice about matters relating to their SEN or disabilities, including matters relating to health and social care. This **must** include information, advice and support on the take-up and management of Personal Budgets. In addition, in carrying out their duties under Part 3 of the Children and Families Act 2014, local authorities **must** have regard to the importance of providing children and their parents and young people with the information and support necessary to participate in decisions. SEND Code of Practice: 0 to 25 years 2.1

Who is this file for?

This file is intended to help you as parents or carers of children with special educational needs to understand:

- What special educational needs are:
- How the school, the Durham Local Authority and other professionals can help your child;
- How you can play a full part in supporting your child's education;
- What your rights and responsibilities are.

Durham Special Educational Needs and Disability Information Advice and Support Service (SENDIASS) also publish a comprehensive range of leaflets which provide accurate, neutral information on many of the topics covered in this file. A full list of the available leaflets is in Section 13, Publications from Durham SEND Information Advice and Support Service.

Please take time to read through **The Local Offer** Leaflet. The Local Offer tells you what support the local authority expects to be available for children and young people with special educational needs and/or disabilities

Community Languages

If English is not your first language and you have a child with special educational needs

The SEND Code of Practice: 0 to 25 years clearly states that families whose first language is not English should receive the support they need to be fully involved in the special educational need's process.

The LA and schools should provide on request:

- Translated written material;
- Access to bi-lingual support staff;
- Interpreters for meetings and pre-meeting discussions.

Speak to the SENCo in your child's school if you need this type of support. This file can be made available in community languages on request. If your child's school does not have a file in your first language please ask the SENCo to contact the LA.

The LA's Learning Support Service employs a team of staff who work with children who have English as a second language.

For further information contact SEND and Inclusion: Equalities and Interventions Team, English as an Additional Language 03000 267800.

2. Your Child's School (Insert your schools SEND Policy and SEND Information)

3. What are Special Educational Needs?

A child or young person has SEN if they have a learning difficulty or disability which calls for special educational provision to be made for him or her.
SEND Code of Practice 0 to 25 years.

The **SEND Code of Practice 0 to 25 years** says that a child has special educational needs if he or she has learning difficulties and needs special help.

This help is known as **special educational provision**.

A child has learning difficulties if he or she finds it much harder to learn than most children of the same age, or if he or she has a disability which makes it difficult to use the educational facilities in the area without extra support.

These needs fall into four broad categories which are:

- Communication and Interaction
- Cognition and Learning
- Social, Emotional and Mental Health Difficulties
- Sensory and/or Physical Needs

See Section 8, Support in Schools.

Many children have difficulties in some areas of school work, or make slow progress at some time in their school life. This does not necessarily mean they have a special educational need. Often a teacher can help a child overcome difficulties by using different ways of working and giving support. This is called 'Quality First Teaching'.

If the child continues to have difficulties and does not make adequate progress your child's teachers at school may decide that s/he has a special educational need and a greater level of help is needed.

Jargon Buster

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| Advices | A set of reports written by professionals and parents, which assist the local authority when making a decision whether or not to issue a proposed statement. |
| Age Weighted Pupil Unit (AWPU) | The AWPU is the amount of money that every maintained school receives for each pupil that is on the school roll, whether or not they have SEN. The value of the AWPU varies from one local authority to another and according to the age of the pupils. For primary age pupils the minimum is £2000 per year. For pupils in Key Stages 3 and 4 the minimum is £3000 per year. |
| Annual Review | Under the Education Act 1996 local authorities had to carry out a review of every Statement of Special Educational Need at least once every 12 months. Under the Children and Families Act 2014 local authorities must carry out a review of every EHC plan at least once every 12 months. |
| Appeal | Parents can appeal to the independent S.E.N.D.I.S.T Tribunal if they cannot reach agreement with the L.A. over decisions on their child's special educational needs. |
| Assessment | A check of progress often made by an Educational Psychologist. |
| Assessment (Statutory or Formal) | A detailed examination of a child's special educational needs. It may lead to an Education, Health and Care Plan. |
| A.T. | Attainment Target (National Curriculum). |
| A.S.D. | Autistic Spectrum Disorder. |
| Baseline Assessment | An assessment carried out shortly after a child starts primary school to see what s/he can do so teachers can plan for his/her learning needs. |
| B.S.P. | Behaviour support plan. |
| C.A.M.H.S | The Child and Adolescent Mental Health Service provide support to those young people who are experiencing mental health difficulties. |

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| C.D.C. | The Child Development Centre is a multi-disciplinary assessment and therapy centre for children under 5. |
| Centile | The division of information into 100 groups. For example, a score at the 5 th centile means that, on average, only 5 children out of every 100 could be expected to score lower (and 95 would score higher). |
| Child in Need | Defined under Section 10 of the Children Act 1989 as a child who is "unlikely to achieve or maintain ... a reasonable standard of health and development, without the provision of services by a Local Authority... "Or who is "disabled". Every authority has a general duty to safeguard and promote the welfare of children in their area who are in need. |
| Children and Families Act 2014 | This law came into force on 1 st September 2014. Part 3 of the Act sets out the new law on special educational needs and disability. The Act is supported by the SEND Regulations 2014 and the SEND Code of Practice: 0-25 Years. You can download a copy of the Act at http://www.legislation.gov.uk/ukpga/2014/6/contents/enacted |
| Children's Network | A confidential database of disabled children in Durham to provide an information service for parents and to help planning of services. |
| Clinical Commissioning Group (CCG) | CCGs are groups of professionals that work together to commission health services, ensuring there is sufficient capacity contracted to deliver the necessary services to people. |
| Chronological age | The time in years since birth (i.e. life age). |
| C.L.D. | Complex Learning Difficulties (includes autism and Asperger's Syndrome). |
| Clinical Psychologist | Specialist trained in the treatment of emotional and behavioural problems. |
| C.M.O. | Clinical Medical Officer. |
| SEND Code of Practice: 0 to 25 years | A guide to schools and L.A.s about the help they can give to children with special educational needs. Schools and L.A.s must 'have regard' to the Code in anything concerning children with special educational needs. |
| Cognitive | Development of a child's ability to understand and to explain |

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| Development | relationships; usually the same as intellectual growth. |
| Conciliation | Conciliation involves a third party to help people negotiate with each other. The conciliator offers advice and possible solutions to problems. |
| Curriculum | All the courses and learning opportunities a school offers or a course of study being followed by a child. |
| Day Special School | A specialist school. |
| D.D.A | Disability Discrimination Act. |
| DfE | Department for Education. |
| Differentiation | The way in which the school's curriculum and teaching methods are adapted to meet the needs of children. |
| Direct payment | <p>A payment made directly to a parent or young person to purchase specific services. Under the Children and Families Act 2014 a Direct Payment may be made as part of a Personal Budget so that the parent or young person can buy certain services that are specified in their EHC plan.</p> <p>Direct payments can only be used for provision provided on the school or college premises if the school or college agree.</p> |
| Disagreement resolution | <p>Local authorities must provide independent disagreement resolution to help parents and young people resolve disputes with local authorities, schools and other settings about SEND duties and provision.</p> <p>You can find more information on disagreement resolution in the SEND Code of Practice: 0 to 25 years 11.6 to 11.10.</p> |
| Disapplication | The lifting or varying of the requirements of the National Curriculum to meet the needs of the pupil. |
| D.H.A | District Health Authority. |
| Early Education Settings | Educational provision for children under compulsory school age, for example nurseries, pre-schools and registered child-minders. |
| Early Years Action/Action Plus | This describes the additional or different support for children with SEN given by early year's settings under the previous (2001) SEN Code of Practice. This support was for children with SEN who did not have a Statement of Special |

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| | Educational Need. |
| E.B.D. | Emotional and behavioural difficulties. |
| E.D.P. | Education Development Plan. |
| Education Act 1996 | Part IV of the Education Act 1996 was the legal framework for SEN. Part 3 of the Children and Families Act 2014 now replaces this legislation. However there is a transition period until 2018. This means, for example, that Statements of Special Educational Need that were in place before 1 st September 2014 will continue to have legal force until the child or young person transfers to an EHC plan. |
| Education Funding Agency (EFA) | <p>The EFA is the government agency that funds education for learners between the ages of 3 and 19, and those with learning difficulties and disabilities between the ages of 3 and 25.</p> <p>The EFA allocates funds to local authorities, which then provide the funding for maintained schools. The EFA directly funds academies and free schools.</p> |
| EHC Needs Assessment | <p>Local authorities must carry out an EHC needs assessment if a child or young person may need an EHC plan. The assessment is a detailed look at the special educational needs that the child or young person has and what help he or she may need in order to learn.</p> <p>It is sometimes called a statutory assessment.</p> <p>You can find out more in the SEND Code of Practice: 0 to 25 years, sections 9.45 – 9.52.</p> |
| Education Health and Care plan (EHC plan) | An EHC plan describes the special educational needs that a child or young person has and the help that they will be given to meet them. It also includes the health and care provision that is needed. It is a legal document written by the local authority and is used for children and young people who have high support needs. |
| Educational Psychologist (E.P.) (sometimes | An Educational Psychologist is asked to help when a child is finding it difficult to learn at school. S/he may do tests to decide what the problem is. |

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| called "Ed Psych" | |
| EDUCATION WELFARE OFFICER (E.W.O.) | A person employed by the L.E.A. to make sure that children are getting the education they need. They deal mainly with school attendance. |
| E.O.T.A.S | Education otherwise than at school. |
| E.P.S. | Educational Psychology Service. |
| Exclusion | A child who is excluded from school is not allowed to go to school from the time the exclusion is made. Exclusion can be for a fixed time or permanent. A child cannot be excluded simply because they have a special educational need. |
| E.Y.D.C.P | Early Years Development and Childcare Partnership. |
| F.A.S. | Funding agency for schools. |
| F.E. | Further Education. |
| Fine Motor Skills | Complex movements of hands and fingers which require practice to accomplish (e.g. fastening buttons, holding pencils etc.). |
| First Tier Tribunal (SEN and disability) | The First-tier Tribunal (Special Educational Needs and Disability) is a legal body. The Tribunal hears appeals from parents of children with SEN, and young people with SEN, about EHC needs assessments and EHC plans. You can find out more at https://www.gov.uk/special-educational-needs-disability-tribunal/overview |
| Formal Assessment | See assessment (statutory or formal) |
| G.C.S.E. | General Certificate of Secondary Education. |
| Governors | A school's governing body oversees the workings of the school. It includes a Parent Governor and a S.E.N. Governor. |
| Graduated approach | The SEND Code of Practice: 0 to 25 years says that schools should follow a graduated approach when providing SEN Support. This is based on a cycle of: <ul style="list-style-type: none"> • Assess |

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| | <ul style="list-style-type: none"> • Plan • Do • Review <p>You can find out more about the graduated approach in the SEND Code of Practice: 0 to 25 years sections 6.44 to 6.56.</p> |
| Gross Motor Skills | Skills which involve large muscle activity (e.g. rolling, walking, crawling, jumping, running). |
| H.I. | Hearing Impaired. |
| H.M.I. | Her Majesty's Inspectorate of Schools. |
| I.B.P. | Individual Behaviour Plan. |
| I.C.T | See Information Technology |
| I.E.P. | An Individual Education Plan is drawn up by a school's S.E.N.C.O. It sets targets for a child to achieve and a date for a review of progress. |
| Inclusion | A process by which schools, local authorities and others develop their cultures, policies and practices to include all pupils. |
| Independent school | A school which is funded independently of local or central government. |
| Independent supporter | A person recruited by a voluntary or community sector organisation to help families going through an EHC needs assessment and the process of developing an EHC plan. This person is independent of the local authority and will receive training, including legal training, to enable him or her to provide this support. |
| Information Technology (I.T.) | Refers to the whole area of computers both portable and desktop. |
| I.P.S (previously referred to as named person) | Independent Parental Supporter. Someone, independent of the LA, who can support parents through the SEN process. |
| I.Q. | Intelligence Quotient - a measure of intellectual ability, where a score of 100 indicates average. |
| Key stages | The National Curriculum uses the term key stages to describe the age band in which the child falls. Key stage 1 is infant, key stage 2 is junior, key stage 3 is 11-14 years and |

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| | key stage 4 is 14+. |
| Keyworker | Someone who provides children, young people and parents with a single point of contact to help make sure the support they receive is co-ordinated. A keyworker could be provided directly by a local authority or local health organisation, a school or college, or from a voluntary or private sector body. |
| Learning Difficulty | If a child has a learning difficulty s/he finds it much harder to learn than most children of the same age do. |
| Learning Difficulty Assessment (LDA) | <p>Learning Difficulty Assessments set out what additional learning support a young person needed when continuing their education into some form of post-16 education or training.</p> <p>From 1 September 2014 Learning Difficulty Assessments will be replaced by EHC plans. Local authorities must transfer young people who already have provision as a result of an LDA to the new SEND system by 1 September 2016 if they are staying in further education or training after that date</p> |
| Learning Support Service | Education staff working outside their normal setting, usually support teachers and LSA's with experience and expertise in teaching pupils with special educational needs. |
| Local authority/authorities (LA) | <p>Local authorities are administrative offices that provide services within their local areas. There are 152 across England which are education authorities. For more information about local government, see https://www.gov.uk/understand-how-your-council-works/types-of-council</p> |
| Local Offer | <p>The Local Offer, published by every local authority, tells you what support is available for children and young people with special educational needs and/or disabilities, and their families. It includes information about education, health and care provision.</p> <p>It also gives information about training, employment and independent living for young people with special educational needs and/or disabilities.</p> |

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| Local transition plan | Every local authority must publish a plan that explains when and how Statements of Special Educational Need will be transferred to the new system, as well as information for young people in further education and training who receive support as a result of a Learning Difficulties Assessment. |
| Looked-after child | A child who is 'cared for' by the local authority, either in a long-term placement or for short periods. |
| L.S.A. | Learning Support Assistant. A non-teaching member of staff who helps to meet the educational needs of children. |
| L.S.C. | Learning and Skills Council. |
| Mainstream school | This is a school that provides education for all children, whether or not they have special educational needs or disabilities. |
| Maintained school | A school funded by the L.A. |
| Mediation | <p>Mediation is a type of disagreement resolution. Every local authority must provide independent mediation to help parents and young people resolve disputes with local authorities about:</p> <ul style="list-style-type: none"> • a decision not to carry out an EHC needs assessment • a decision not to draw up an EHC plan • the content of a final EHC plan or amended plan • a decision not to amend an EHC plan • a decision to cease to maintain an EHC plan. <p>Mediation must also be provided on the health and social care elements of an EHC plan.</p> <p>You can find more information on mediation in the SEND Code of Practice: 0 to 25 years 11.13 to 11.38.</p> |
| Mediation advice | <p>The purpose of mediation advice is to give information about what mediation involves. Parents or young people who wish to register an appeal with the First Tier Tribunal (SEN and Disability) must first seek mediation advice. The advice must be factual and unbiased. After mediation advice has been given the parent or young person can choose whether they wish to go to mediation.</p> <p>However it is <u>not</u> necessary to seek mediation advice if the appeal is only about the name of the school, or college named on the plan, the type of provision specified in the plan or the fact that no school or other institution is named.</p> <p>You can find more information on mediation advice in the</p> |

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| | SEND Code of Practice: 0 to 25 years 11.21 to 11.25. |
| M.L.D. | Moderate Learning Difficulties |
| Multi-disciplinary | A team drawn from more than one profession e.g. health, education, social services. |
| Must | <p>The SEND Code of Practice: 0 to 25 years says in Section i of the Introduction:</p> <p><i>...where the text uses the word 'must' it refers to a statutory requirement under primary legislation, regulations or case law.</i></p> <p>This means that wherever the term 'must' is used all the organisations listed in Section iv of the Introduction to the Code have a legal duty to do what the Code says.</p> |
| Named Officer | A person employed by the L.A. who deals with the case of a particular child. |
| Named Person | See I.P.S. |
| National Curriculum | Subjects which must be studied in all schools. |
| Non-maintained special school | A non-profit making special school, approved by the Secretary of State, usually run by a charity. |
| Note in lieu | A note, written by the L.A., after carrying out an assessment, when they have decided NOT to issue a Statement. It should explain their decision and offer guidelines to school on supporting the child's special educational needs. |
| Nursery Nurse (NNEB) | Individuals who work in nurseries and schools with responsibility for the care and well-being of young children. |
| Objectives | The overall, long-term aims to be achieved by the provision for the child. These should be written into a Statement of S.E.N. |
| Ofsted | Office for Standards in Education – a government department responsible for the inspection of all schools. |
| O.T. | Occupational Therapy/Therapist. |
| Outcome | Section 9.66 of the SEND Code of Practice: 0 to 25 years |

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| | <p>says:</p> <p>An outcome can be defined as the benefit or difference made to an individual as a result of an intervention. It should be personal and not expressed from a service perspective; it should be something that those involved have control and influence over, and while it does not always have to be formal or accredited, it should be specific, measurable, achievable, realistic and time bound (SMART). When an outcome is focused on education or training, it will describe what the expected benefit will be to the individual as a result of the educational or training intervention provided.</p> |
| Paediatrician | Special children's doctor. |
| Parent Carer Forum | <p>A Parent Carer Forum is a representative local group of parents and carers of disabled children who work with local authorities, education, health and other providers to make sure the services they plan and deliver meet the needs of disabled children and families. They have been established in most local authority areas. For more information please visit: http://www.cafamily.org.uk/pcp/resources or http://www.nnpcf.org.uk/</p> |
| Pastoral support team | In secondary schools includes form tutors, heads of year and senior teachers. Often the first point of contact for parents. |
| P.D. | Physical disability/difficulty. |
| Personal Budget | <p>A Personal Budget is money set aside to fund support as part of an Education, Health and Care plan (EHC plan) for a child or young person with special educational needs. It can include funds from Education, Health and Social Care.</p> <p>Parents of children with an EHC plan and young people with an EHC plan can choose whether or not they wish to have a Personal Budget.</p> |
| P.I.P.S | Performance Indicators in Primary Schools. |
| P.I.V.A.T.S | Performance Indicators for Value Added Target Setting. |
| P.M.L.D. | Profound and Multiple Learning Difficulties. |
| Portage | A home visiting service which offers support, help and advice to families with a child under 5 who has special needs. |
| Provision | The special support and extra help that children with S.E.N. receive in school to meet their needs |

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| P.R.U. | A Pupil Referral Unit is a centre that can provide part-time or full-time support for children who are currently not attending school or who need additional help with their behaviour or learning. |
| Psychiatrist | A qualified doctor who specialises in mental health. |
| Psychometric tests | Used to assess the child's ability and attainment levels. |
| Psychologist | See Educational Psychologist. |
| P.T.A. | Parent Teacher (and Friends) Association. |
| R.O.A. | Record of achievement. |
| Reasonable adjustments | Reasonable adjustments are changes schools and other settings are required to make which could include: changes to physical features – for example, creating a ramp so that students can enter a classroom or providing extra support and aids (such as specialist teachers or equipment) |
| Re-assessment | Your child can have another assessment if the L.A. decides it is necessary. |
| Residential School | A school where pupils live, during the school term. |
| Resource Base | A unit which caters for children with particular needs or disabilities, which is part of a mainstream school. |
| Review | Your child's statement/EHC must be looked at (reviewed) at least once a year to check on his/her progress. |
| S.A.T.s | Standard Assessment Tests which check children's progress. |
| School Action/Action Plus | This describes the additional or different support for children with SEN given by schools under the previous (2001) SEN Code of Practice: 0 to 25 years. This support was for children with SEN who did not have a Statement of Special Educational Need. |
| Schools Forum | Every local authority has a Schools Forum. It made up of representatives from schools and academies, and some representation from other bodies, such as nursery and 14-19 education providers. |

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| | The role of the Schools Forum includes looking at the local formula used to fund schools and SEN provision. |
| S.C.M.O. | Senior Clinical Medical Officer. |
| Section 139A Learning Difficulty Assessment | See Learning Difficulty Assessment |
| S.E.N. | Special Educational Needs. All children who need special help will be described as 'children with special educational needs.' One in five children may have some sort of learning difficulty during their school life. |
| S.E.N.D.I.S.T. | S.E.N. and Disability Tribunal. |
| SEND Code of Practice: 0 to 25 years | <p>This is the statutory guidance that supports Part 3 of the Children and Families Act 2014.</p> <p>It tells local authorities, early year's settings, schools, colleges, health and social care providers and others what they must and should do to identify, assess and provide for children and young people with SEN or disabilities.</p> <p>You can download a full copy of the Code at https://www.gov.uk/government/publications/send-code-of-practice-0-to-25</p> <p>You can download a shorter version for parents at https://www.gov.uk/government/publications/send-guide-for-parents-and-carers</p> |
| SEN Information Report | <p>All schools must publish on their websites information about their policy and arrangements for supporting children with SEN. This must be kept up to date.</p> <p>The information that has to be included can be found in Section 6.79 of the SEND Code of Practice: 0 to 25 years.</p> |
| SEN support | <p>SEN support includes any help for children and young people with SEN that is additional to or different from the support generally made for other children of the same age.</p> <p>The purpose of SEN support is to help children achieve the outcomes or learning objectives that have been set for them by the school. Schools should involve parents in this process.</p> <p>SEN support replaces Early Years Action/Action Plus and School Action/Action Plus.</p> |

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| SEND Pathfinder | <p>SEND Pathfinders were set up in 2011 to test out the reforms the Government were proposing to introduce as part of the Children and Families Act 2014.</p> <p>You can find more information about the SEND Pathfinders at http://www.sendpathfinder.co.uk</p> |
| Settings | See Early Education Settings. |
| Should | <p>Should is a word that occurs frequently in the SEND Code of Practice: 0 to 25 years.</p> <p>Section i of the Introduction to the Code says:</p> <p><i>... where the text uses the word 'should' it means that the guidance contained in this Code must be considered and that those who must have regard to it will be expected to explain any departure from it.</i></p> <p>This means that wherever the term 'should' is used all the organisations listed in Section iv of the Introduction to the Code must consider what the Code says. However they may depart from it.</p> |
| Signposting | <p>Sometimes a service that provides information, advice and support may be asked for help that it is not able to give directly.</p> <p>When this happens the person seeking information, advice or support may signposted to other service providers. This means that they will be given information, including contact details, about other sources of help.</p> |
| S.L.D. | Severe Learning Difficulties. |
| S.M.O. | School Medical Officer. |
| Special Educational Needs Co-ordinator (SENCO) | <p>A SENCO is a qualified teacher in a school or maintained nursery school who has responsibility for co-ordinating SEN provision.</p> <p>Early years settings that are part of group provision arrangements are expected to identify an individual to perform the role of SENCO.</p> |
| Special schools | These are schools that specialise in working with children with particular disabilities. |
| Special educational provision | The special help given to children with SEN. |

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| Specific Learning Difficulty (Sp.L.D) | A child has a Specific Learning Difficulty if s/he has a problem with one or more areas of the curriculum, usually reading, writing, spelling and/or number work. |
| Speech therapist | Specialist in diagnosing and treating speech and language disorders who works in schools, hospitals and clinics. |
| Speech therapy | The diagnosis and treatment of speech and language disorders. Children are normally referred for speech therapy by a doctor. |
| S.S.A. | Special Support Assistant. |
| S.S.D. | Social Services Department. |
| Statement of Special Educational Need | <p>Under the Education Act 1996 local authorities issued Statements of Special Educational Need for children whose needs could not be met through the provision normally made by schools.</p> <p>The Children and Families Act 2014 replaces Statements with EHC plans.</p> <p>Children and young people who already have a Statement will gradually transfer to the new system. Each council publishes a local transition plan to explain how this will happen.</p> |
| Statutory Assessment | See Assessment (statutory or formal). |
| Statutory guidance | Statutory guidance is guidance that local authorities and other local bodies have a legal duty to follow. |
| Targets | The individual goals set for a child. Targets are a way of checking the child's progress. They should be written into the I.E.P. and reviewed regularly. |
| Transition Plan | A plan drawn up following the Year 9 Annual Review of the statement. Information is gathered from parents, professionals, including the Connexions Service and school. A structured plan of action is drawn up to ensure that the transfer from school to adult life is well planned. |
| Transfer review | <p>A transfer review replaces the annual review in the academic year that the child or young person transfers to the new SEND system.</p> <p>A transfer review involves an EHC needs assessment to decide what outcomes and provision need to be included in</p> |

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| | <p>the EHC plan. This should include education, health and social care needs.</p> <p>You, your child or the young person must be invited to a meeting as part of the transfer review.</p> <p>A transfer review ends when the local authority sends you (or the young person) a copy of the EHC plan, or when it informs you (or the young person) that an EHC plan will not be issued.</p> <p>Each council publishes a local transition plan to explain how and when transfer reviews for children and young people with Statements of Special Educational Need will happen.</p> |
| Tribunal | An independent body that hears appeals against decisions made by the L.A. |
| V.I. | Visually Impaired. |
| Voluntary Organisations | Non-profit making organisations which often involve volunteers as well as paid staff. They range from large national to small local organisations and usually aim to help specific groups of people in society. |
| Work Experience | A system which allows students approaching the end of their secondary education the opportunity to take part in work placements. |

SEND**IASS** helpline number: 01915873541 or

Email: sendiass@durham.gov.uk

Equality and Inclusion

Where parents want a mainstream education for their child everything reasonably possible should be done to provide it.

Parents who want a special school place should also have their views taken into account.

Durham Local Authority aims to follow the key principles of an inclusive education service as set out in the statutory guidance:

- Inclusion is a process by which schools, local authorities and others develop their cultures, policies and practices to include all pupils;
- With the right training, strategies and support nearly all children with special educational needs can be successfully included in mainstream education;
- An inclusive education service offers excellence and choice and incorporates the views of parents and children;
- The interests of all pupils may be safeguarded;
- Schools, local authorities and others should actively seek to remove barriers to learning and participation;
- All children should have access to an appropriate education that affords them the opportunity to achieve their personal potential;
- Mainstream education will not always be right for every child all of the time. Equally just because mainstream education may not be right at a particular stage it does not prevent the child from being included successfully at a later stage.

The duty on the LA assumes that most children with special educational needs can be included successfully at a mainstream school with the right strategies and support.

It is important that everyone involved with your child works together to make this happen. Your child's views should also be taken into account when deciding on the right school.

Inclusion applies to everyone, not just to children with special educational needs. It applies especially to all those who may be disadvantaged or be at risk of discrimination for various reasons. This file focuses specifically on the inclusion of children with special educational needs.

4. Participation

Overview

The participation of parents, young people and children in decisions relating to them, is a key principle of the Children and Families Act 2014.

Section 19 of the Act 2014 makes clear that local authorities, in relation to disabled children and young people and those with special educational needs (SEN) **must** have regard to:

- the views, wishes and feelings of the child or young person, and the child's parents
- the importance of the child or young person, and the child's parents, participating as fully as possible in decisions, and being provided with the information and support necessary to enable participation in those decisions
- the need to support the child or young person, and the child's parents, in order to facilitate the development of the child or young person and to help them achieve the best possible educational and other outcomes, preparing them effectively for adulthood

The SEND Code of Practice: 0 to 25 years says;

Local authorities **must** ensure that children, their parents and young people are involved in discussions and decisions about their individual support and about local provision. 1.3

Early years providers, schools and colleges should also take steps to ensure that young people and parents are actively supported in contributing to needs assessments, developing and reviewing Education, Health and Care (EHC) plans. 1.4

Local authorities **must** ensure that children, young people and parents are provided with the information, advice and support necessary to enable them to participate in discussions and decisions about their support. This should include information on their rights and entitlements in accessible formats and time to prepare for discussions and meetings. From Year 9 onwards, particularly for those with Education, Health and Care plans, local authorities, schools, colleges and other agencies will be involved in the planning for their transition to adult life, the future and how to prepare for it, including their health, where they will live, their relationships, control of their finances, how they will participate in the community and achieve greater independence. Further details are given in Chapter 8. Local authorities should help children and their families prepare for the change in status under SEN Law that occurs once the child reaches the end of compulsory school age.

Parents

Parents and carers should be fully included in all decision making about their child. This is an expectation that should be observed by all those working with you in relation to your child's special educational needs and/or disability.

Parent Carer Forums are representative local groups of parents and carers of children and young people with disabilities who work alongside local authorities, education, health and other service providers to ensure the services they plan, commission, deliver and monitor meet the needs of children and families. Parent Carer Forums have been established in most local areas and local authorities are actively encouraged to work with them. Durham's Parent Carer Forum, entitled 'Making Changes Together' can be reached by contacting sendiass@durham.gov.uk More information about Parent Carer Forums is available from the websites of Contact a Family and the National Network of Parent Carer Forums.

Young People

The Children and Families Act 2014 gives significant new rights directly to young people once they reach the end of compulsory school age (the end of the academic year in which they turn 16). When a young person reaches the end of compulsory school age, local authorities and other agencies should normally engage directly with the young person rather than their parent, ensuring that as part of the planning process they identify the relevant people who should be involved and how to involve them. Chapter 8 sets out how some decision-making rights transfer from parents to young people at this stage and how families will continue to play a critical role in supporting a young person with SEN. Most young people will continue to want, or need, their parents and other family members to remain involved in discussions and decisions about their future. Some young people, and possibly some parents, will not have the mental capacity to make certain decisions or express their views. Provision is made in the Children and Families Act (Section 80) to deal with this and Annex 1 to this Code provides further details.

The SEND Code of Practice 0 to 25 years says;

Local authorities should consider whether some young people may require support in expressing their views, including whether they may need support from an advocate (who could be a family member or a professional). Local authorities **must not** use the views of parents as a proxy for young people's views. Young people will have their own perspective and local authorities should have arrangements in place to engage with them directly. SEND Code of Practice 0 to 25 years 1.10

The SEND Code of Practice: 0 to 25 years says;

Children have a right to receive and impart information, to express an opinion and to have that opinion taken into account in any matters affecting them from the early years. Their views should be given due weight according to their age, maturity and capability (Articles 12 and 13 of the United Nations Convention on the Rights of the Child). SEND Code of Practice: 0 to 25 years 1.6

Involving children, young people and parents in planning, commissioning and reviewing services

The SEND Code of Practice: 0 to 25 says;

Local authorities **must** consult children with SEN or disabilities, their parents, and young people with SEN or disabilities in reviewing educational and training provision and social care provision and in preparing and reviewing the Local Offer. It is important that they participate effectively in decisions about support available to them in their local area. 1.11

Effective participation should lead to a better fit between families' needs and the services provided, higher satisfaction with services, reduced costs (as long-term benefits emerge) and better value for money. Local authorities should work with children, young people and parents to establish the aims of their participation, mark progress and build trust. They should make use of existing organisations and forums which represent the views of parents – and those which represent the views of children and young people directly – and where these do not exist, local authorities should consider establishing them. 1.12

Effective participation happens when:

- it is recognised, valued, planned and resourced
- it is evident at all stages in the planning, delivery and monitoring of services
- there are clearly described roles for children, young people and parents
- there are strong feedback mechanisms to ensure that children, young people and parents understand the impact their participation is making

5. Professionals and what they do

The Educational Psychology Service

This Service is provided to support children, parents and schools with all aspects of the SEN arrangements. The Service is delivered across the County from a central Durham office. Address and contact details are provided at the end of this Section. The Service provides support and assistance in a number of ways:

The Work of Educational Psychologists

Psychology is about how individuals think, feel and behave. It is about how people:

- learn
- understand
- develop their ideas and skills

Educational psychologists (E.P.s) work to solve psychological problems, particularly those which affect children and young people and, if possible, prevent them from happening.

E.P.s are asked to help when a child finds it harder to learn or has greater difficulty in understanding than most children of their age. They also see children who have problems getting along with others or who find it hard to behave in the way other people expect.

Sometimes providing support for the adults in children's lives is the best way of dealing with the difficulties.

Educational psychologists are called in to:

- help children and young people who have difficulties in learning or behaviour or both. This can be done through assessment of problems, advising teachers, parents and others and sometimes by working directly with the child;
- prevent difficulties arising by helping children to manage their lives;
- check the results of their work by checking on children's progress and then showing them the next step forward;
- research new ways of working and new ways of understanding children's learning and behaviour, for example through surveys of pupil's needs;
- provide training for teachers and others.

Many of the difficulties where children need the help of psychological services are the result of a mixture of disabilities and experiences. Children can have difficulties in different parts of their lives, for example at school, at home or in the neighbourhood. Because of this, educational psychologists often work with families, teachers, doctors, social workers and other people when they are looking for ways to help children.

Educational psychologists always try to work in close partnership with parents. Parents have the right to be present at psychological examinations of their child's educational needs. Parents are encouraged to give their views about their child's difficulties and how their child can be helped.

How is help obtained from the service?

The child's school requests advice from an Educational Psychologist. Usually this advice would only be requested after the school had worked with the child using their own special needs resources as set out in an Individual Education Plan. If the child is still a cause for concern, the school will discuss with the educational psychologist whether the involvement of the service is the best way forward.

Children in early year's settings can be brought to the attention of the service in the same way as children at other schools.

Parents should be fully involved and will be asked to sign the form to show that they have agreed to the educational psychologist being consulted about their child.

Children who attend Durham schools but who live outside Durham:

- Durham E.P. Service is responsible for working with these children as identified by their school.
- The E.P. service where the child lives is responsible once a request is made for a statutory assessment.

Children who live in Durham but who attend schools in another authority:

- The E. P. service of the authority where the school is situated is responsible for work carried out in schools.
- The Durham E.P. service takes responsibility once a request is made for statutory assessment.

Use of time by the E.P. Service

Educational psychologists' time is divided up between Primary, Secondary and Special Schools and an amount of time is allocated to each individual school. Each school decides how to use that time with individual children.

Education, Health and Social Care Professionals and what they do.

The **Child and Adolescent Mental Health Service (CAMHS)** offers assessment and therapy to children and young people who have a mental health problem. Referral is via GPs or Consultant Paediatricians. (This service is part of the Health Service). They provide assessment and therapy to children, young people and their families in cases of psychological difficulty. These may include problems with behaviour, emotional problems, and coping with the effects of chronic illness. The service provides direct clinical work with children and their families, which may be individual, group or family work. The service aims to focus on prevention and early intervention wherever possible and aims to have an accessible service for all ethnic groups and children with disabilities. Referrals are accepted from GPs, paediatricians and Social Services. (This service is part of the Health Service)

Community Paediatricians provide a specialist service for children aged 0-19 years with special needs. This covers all aspects of child development, including physical and mental disability. Referral is usually via the family GP, the Health Visitor or the Community Child Health Doctor working from the local clinic or health centre. (This service is part of the Health Service)

The **Educational Psychology Service** – Educational Psychologists work in schools with individual and groups of children who may have special educational needs. They also work with pre-school children and their families, working closely with Child Development Teams, and other professionals. They give advice to school about special education needs and provide advice to the LA about children undergoing statutory assessment. (This service is provided by Durham County Council)

The **Education Welfare Service** can offer help and advice around a number of issues by liaising between home and school, discussing concerns with school staff, working jointly with other agencies and working with groups of children. Issues they may be able to help with include: attendance at school; difficult behaviour; social and family problems; legal rights and responsibilities; child protection; work with 'out of school' pupils; pre-school issues; special educational needs; children's employment. (This service is provided by Durham County Council)

The **SEND and Inclusion Service** provides support for children with special educational needs in mainstream schools. It is able to provide a range of services including assessment, advice on target setting, resources, direct teaching and strategies to ensure the child is included fully in the life of the school. They are also available to support access and equipment requirements including ICT. Schools now have the financial responsibility of supporting children with special educational needs and will be able to purchase the expertise of specialists from the service. (This service is provided by Durham County Council)

The **Education Health Needs Service** provides part-time education out-of-school for pupils whose health temporarily makes them unable to attend school. Provision is usually at home or in hospital. The pupil remains on the roll of the school, which has the responsibilities for delivering the National Curriculum. H&HS supports the school by ensuring that, medical issues permitting, the pupil follows the programmes set by the school thus enabling the pupil, when well enough, to return to school up-to-date. (This service is provided by Durham County Council)

Paediatric Occupational Therapy: The Occupational Therapist works with children with physical and learning difficulties, providing practical support and advice in order to improve function in everyday living activities. S/he works with the child and their family to develop function and promote independence, enabling the child to meet their maximum potential.

Practical support is provided through play activities, socialising, specialist treatment and school access. They advise, assess and make recommendations for equipment and adaptations.

Support is also provided for family and carers in order to reduce the impact of disability within the home environment and enhance the quality of family life. (This service is part of the Health Service)

Physiotherapy Services offer advice and support for parents and carers on all aspects of physical management of children at home and in other appropriate settings. Assessment, advice on specialised equipment and group or individual therapy sessions are offered as appropriate. Therapy and support are also offered to children with developmental, neurological, respiratory, orthopaedic and oncology conditions on both an inpatient and outpatient basis. (This service is part of the Health Service)

The **School Medical Team** provides medical support to the educational statementing process, as well as to other children at school requiring medical advice. A large proportion of their advice will be to children with a disability, some of whom will have a Statement of Special Educational Needs. Access is usually through the schools via the School Nursing Service. (This service is part of the Health Service)

The **School Nursing Service** provides health care services to children of both primary and secondary school age. The service includes: health assessments; advice and support to children, young people and their parents, teachers and education staff; vaccination and immunisation programmes; health education and promotion in conjunction with teaching staff; health interviews to all reception and many year 7 pupils; specialist services to local special schools. (This service is part of the Health Service)

Social Workers undertake assessments in respect of children in need (including children with disabilities) and their families. Working with the family, other agencies and voluntary bodies, social workers will seek to ensure that services are provided in ways which meet the needs of the particular children and families. Families can refer themselves for social work assessment. Professionals can also refer families to Social Services although this should be with the knowledge of the families concerned. (This service is provided by Durham County Council).

The **Statutory SEND Casework Team** – is responsible for the administration of statutory assessments and SEN Panel meetings. The teams can provide information regarding the assessment process and tribunals. They also arrange for admissions to special schools. (This service is provided by Durham County Council)

Speech and Language Therapists help children who have difficulty in learning to communicate, their parents and carers. Services offered include: assessment; individual and group therapy involving children and their parents; parent workshop sessions; individual and group therapy involving children and their carers in nursery settings. Specialist services are available for children who may have hearing impairment, those requiring bilingual services, children who stammer, children with cleft lip and palate, children with complex needs. (This service is provided by the Health Service)

The Durham and Darlington Education for Travelling Service works with Gypsy, Fairground, Circus, Bargee and New Travellers children and their families. The aim is to establish good patterns of attendance and to raise levels of achievement. Service provision includes: home/school liaison, literacy support, transition between phases, distance learning, in class curriculum support and loan of resources.

In addition to the above, the Service works pro-actively in the preschool and post-16 areas. Parental involvement is seen as a key area of work in order to raise the value of education and parental expectations. The service works to improve: provision for Travelling families, access to educational opportunities, integration into school and social life generally. (This service is provided by Durham County Council)

6. The Legal Framework

The SEN and Disability Legal Framework

There is a legal framework in England for Special Educational Needs and Disability which protects the rights of children and young people.

The SEN and Disability legal framework is not just about children and young people with statements or EHC Plans - it is about all children and young people with SEN and disabilities.

On the 1st September 2014 a new law was implemented in England. This was the **Children and Families Act 2014**. Part 3 of the Children and Families Act covers Special Educational Needs and Disability legal framework. The main changes to the new SEN and Disability Framework are:

- a) A 0-25 age range for children and young people.
- b) Joint working between education, health and social care
- c) Greater access to information and details about what is available in the local area for children and young people with SEN and Disabilities.
- d) New guidance for education and training settings on taking a graduated approach to identifying and supporting pupils and students with SEN in a Support Plan.
- e) For children and young people with more complex needs a co-ordinated assessment process and the new 0-25 Education, Health and Care plan (EHC plan) replacing statements and Learning Difficulty Assessments (LDAs)
- f) Focus on high aspirations, improving outcomes for children and young people and preparing for adulthood.
- g) A greater focus on the participation of children and young people and parents in decision-making at individual and strategic levels

Other key sections of the **Children and Families Act 2014** cover the following areas:

Special Educational Provision - Section 21

Special educational provision means the educational or training provision that is additional to, or different from, that made generally for others of the same age.

Health Care Provision - Section 21 (3)

Health care provision means the provision of health care services as part of the comprehensive health service in England.

Social Care Provision - Section 21 (4)

Social care provision means the provision made by a local authority in the exercise of its social services functions.

Therapies - Section 21 (5)

Health care provision or social care provision which educates or trains a child or young person is to be treated as special educational provision (instead of health care provision or social care provision).

Other laws involving to SEN and Disability include:

- The Equality Act 2010
- Education Act 2011
- Educational Provision of Full time Education for Excluded Pupils Regulations 2012

For the law which still applies to children with statements of SEN:

- The Education Act 1996 – Part IV
- The Education Act 1996 - Schedule 27

The 0-25 Special Educational Needs and Disability Code of Practice 2014

The 0-25 Special Educational Needs and Disability Code of Practice 2014 provides information about the legal framework and statutory guidance on duties, policies and procedures relating to Part 3 of the Children and Families Act 2014.

This is often the best place to start to understand the SEN and Disability legal framework is the 0-25 Special Educational Needs and Disability Code of Practice 2014.

It relates to children and young people with special educational needs (SEN) and disabled children and young people.

The following organisations must have regard to the statutory guidance in the Code of Practice:

- Local authorities including education, social care and relevant housing and employment and other services.
- The governing bodies of schools, including non-maintained special schools, further education colleges and sixth form colleges.
- The proprietors of academies including free schools, university technical colleges and studio schools.
- Pupil referral units.
- Independent schools and independent specialist providers approved under Section 41 of the Children and Families Act 2014.
- All early years' providers in the maintained, private, voluntary and independent sectors that are funded by the local authority.
- The National Health Service Commissioning Board
- Clinical commissioning groups (CCGs) and Local Health Boards.
- NHS Trusts and NHS Foundation Trusts
- Youth Offending Teams and relevant youth custodial establishments.
- The First-tier Tribunal (Special Educational Needs and Disability)

]The SEN and Disability Principles

Section 19 of the Children and Families Act 2014 explains the main principles to the SEN and Disability legal framework and provides guidance in the Code of Practice.

- a) The views, wishes and feelings of the child and his or her parent, or the young person.
- b) The importance of the child and his or her parent, or the young person, participating as fully as possible in decisions.
- c) The importance of the child and his or her parent, or the young person, being provided with the information and support necessary to enable participation in those decisions.
- d) The need to support the child and his or her parent, or the young person, in order to facilitate the development of the child or young person and to help him or her achieve the best possible educational and other outcomes.

7. Early Years Settings

Early Years Providers

All early years providers are expected to identify and support all children with special educational needs (SEN), whether or not they have an Education, Health and Care (EHC) plan. All early years providers are required to have arrangements in place to identify and support children with SEN or disabilities and to promote equality of opportunity for children in their care.

All children are entitled to an education that allows them to develop and achieve the best possible start to their education and become confident young children ready to make the transition into school.

Parents know their children best and it is important that all practitioners listen and understand when parents express concerns about their child's development. They should also listen to and address any concerns raised by children themselves and respond as early as possible.

All early years providers should take steps to ensure that children with medical conditions get the support required to meet those needs. This is set out in the EYFS framework.

From birth to two – early identification

Children with more complex developmental and sensory needs may be identified at birth. Parents' early observations of their child are crucial throughout their child's development.

Health assessments, such as hearing screening tests, are used to check the hearing of all new-born babies and enable early identification of a range of medical and physical difficulties. At this time the Health services, including the family's general practitioner, health visitor and paediatrician, should work with the family, support them to understand their child's needs, help them to access early support and identify a 'key worker' as a single point of contact for the family.

When a Health Professional is of the opinion that a young child under compulsory school age has, or probably has, SEN, they **must** inform the child's parents and bring the child to the attention of the appropriate local authority. Health Professional **must** also give the parents the opportunity to discuss their opinion and let them know about any organisations that are likely to be able to provide advice, support or assistance.

SEN and Disability in the early years

Some children with complex needs may have support for SEN and disabilities at home or in informal settings before, or as well as, the support they receive from an early year's provider.

This support can take a number of forms, including:

- Specialist support from health visitors, educational psychologists, speech and language therapists or specialist teachers, such as a teacher of the deaf or vision impaired. These specialists may visit families at home to provide practical support, answering questions and clarifying needs
- Training for parents in using early learning programmes to promote play, communication and language development
- Home-based programmes, such as Portage, which offer a carefully structured system to help parents support their child's early learning and development

Information about these services should be included in the Local Offer

From September 2014, 2 year olds for whom Disability Living Allowance is paid will be entitled to free early education.

Early year's provision

The majority of 3 and 4 year-olds, and many younger children, attend some form of early year's provision. The Early Years Foundation Stage (EYFS Framework) sets the standards that all Ofsted-registered early years' providers and schools offering early years provision, **must** meet to ensure that children learn and develop well and are kept healthy and safe.

All early years providers in the maintained, private, voluntary or independent are required to have regard to **SEND Code of Practice 0 to 25 years**. Early years providers **must** provide information for parents on how they monitor and support children with SEN and disabilities.

The EYFS framework requires practitioners to share with parents a review of their children's progress across seven areas of learning including:

- Communication and language
- Physical development
- Personal, social and emotional development
- Literacy
- Mathematics
- Understanding the world
- Expressive Arts and Design

When a child is aged between two and three, early years practitioners **must** review progress and provide parents with a short written summary of their child's development, focusing in particular on communication and language, physical development and personal, social and emotional development.

This progress check **must** identify the child's strengths and any areas where the child's progress is slower than expected. Where a child appears to be behind expected levels, or where a child's progress is a cause for concern, practitioners should consider all the information about the child's learning and development from within and beyond the setting, from formal checks, from practitioner observations and from any more detailed assessment of the child's needs. If there are significant concerns (or identified SEN or disability) practitioners should develop a targeted plan to support the child, involving other professionals such as, for example, the setting's SENCO or the Area SENCO. All the information should be shared with parents.

When a setting identifies a child as having SEN they must work in partnership with parents to establish the support the child needs.

Special educational provision should be matched to the child's identified SEN. Children's SEN are generally thought of in the following four broad areas of need:

- communication and interaction
- cognition and learning
- social, emotional and mental health
- sensory and/or physical needs

Health visitors currently check children's physical development milestones between ages two and three as part of the universal Healthy Child Programme. From 2015, it is proposed to introduce an integrated review that will cover the development areas in the Healthy Child Programme two-year review and the EYFS two-year progress check.

Assessment at the end of the EYFS – the EYFS profile

At the end of a child's reception year at school the EYFS profile provides parents, practitioners and teachers with a well-rounded picture of a child's knowledge, understanding and abilities. A profile is usually completed for children in the final term of the year in which they turn five. It is particularly helpful for children with SEN and should inform plans for future learning and identify any additional needs for support.

SEN support in the early years

It is important in the early years of a child's life that there is minimal delay in making any necessary special educational provision to reduce any further learning difficulty, loss of self-esteem, frustration in learning and to behaviour difficulties. Early action to address identified needs is critical to the future progress and improved outcomes that are essential in helping the child to prepare for adult life. All settings should adopt a graduated approach with **four stages of action: assess, plan, do and review.**

The role of the SENCo in early year's provision

A maintained nursery school **must** ensure that there is a qualified teacher designated as the SENCO in order to ensure that a child with SEN or a disability receives an appropriate level of support.

The EYFS framework requires other early years providers to have arrangements in place for meeting children's SEN. Those in group provision are expected to identify a SENCO. Childminders are encouraged to identify a person to act as SENCO and childminders who are registered with a childminder agency or who are part of a network may wish to share that role between them.

The role of the SENCo involves:

- ensuring all practitioners in the setting understand their responsibilities to children with SEN and the setting's approach to identifying and meeting SEN
- advising and supporting colleagues
- ensuring parents are closely involved throughout and that their insights inform action taken by the setting
- liaising with professionals or agencies beyond the setting

The role of the Area SENCo

To fulfil their role in identifying and planning for the needs of children with SEN, local authorities should ensure that there is sufficient expertise and experience amongst local early years providers to support children with SEN. Local authorities often make use of Area SENCOs to provide advice and guidance to early years providers on the development of inclusive early learning environments. The Area SENCO helps make the links between education, health and social care to facilitate appropriate early provision for children with SEN and their transition to compulsory schooling.

The Area SENCo plays an important part in planning for children with SEN to transfer between early year's provision and schools.

Funding for SEN support in the early years

Local authorities must ensure that all providers delivering funded early education places meet the needs of children with SEN and disabled children. In order to do this the local authority makes sure funding arrangements for early education reflect the need to provide suitable support for these children.

8. Support in Schools

All children and young people are entitled to an appropriate education and an education that:

- Meets their needs
- Promotes high standards
- Achieve their best
- become confident individuals living fulfilling lives
- Supports a successful transition into adulthood
- Supports a transition into employment, further or higher education or training

Schools support pupils with a wide range of SEN and Disability. They should regularly review and evaluate the support they offer. Schools must co-operate with the local authority in reviewing the provision that is available and in developing the Local Offer. Schools should also work together with other local education providers to explore how different needs can be met most effectively.

All schools have duties under the Equality Act 2010 towards individual disabled children and young people. They must **make reasonable adjustments**, including the provision of auxiliary aids and services for disabled children, to prevent them being put at a substantial disadvantage. Schools also have extensive duties to prevent discrimination, to promote equality of opportunity and to foster good relations.

Every school is required to identify and address the SEN of the pupils that they support.

Schools must:

- Use their best endeavours to make sure that a child with SEN gets the support they need. This means doing everything they can to meet children and young people's SEN
- Inform parents when they are making special educational provision for a child
- Ensure that children and young people with SEN engage in the activities of the school alongside pupils who do not have SEN
- Designate a teacher to be responsible for co-ordinating SEN provision – the SEN co-ordinator, or SENCo
- There should be a member of the Governing Body who has specific responsibility for overseeing the school's arrangement for SEN and Disability
- Review and monitor the quality of teaching for pupils with SEN, and the progress made by pupils
- The identification of SEN should be built into the overall approach to monitoring the progress and development of all pupils.
- The school's arrangements for SEN and Disability should be published on the Local Offer

The role of the SENCo in schools

Governing bodies of maintained mainstream schools and the proprietors of mainstream academy schools (including free schools) must ensure that there is a qualified teacher designated as SENCo for the school.

- The SENCo must be a qualified teacher working at the school.
- The must achieve a National Award in Special Educational Needs Co-ordination within three years of appointment.

The key responsibilities of the SENCo may include:

- Overseeing the day-to-day operation of the school's SEN policy
- Co-ordinating provision for children with SEN
- Liaising with the relevant the child's class or subject teacher/s
- Advising on the graduated approach to providing SEN support
- Advising on the deployment of the school's delegated budget and other resources to meet pupils' needs effectively
- Liaising with parents of pupils with SEN
- Liaising with early years providers, other schools, educational psychologists, health and social care professionals, and independent or voluntary bodies
- Being a key point of contact with external agencies, especially the local authority and its support services
- Liaising with potential next providers of education to ensure a pupil and their parents are informed about options and a smooth transition is planned
- Working with the head teacher and school governors to ensure that the school meets its responsibilities under the Equality Act (2010) with regard to reasonable adjustments and access arrangements
- Ensuring that the school keeps the records of all pupils with SEN up to date
- Liaising with the head teacher and governing body regarding the school's strategic development of SEN policy and provision
- The SENCo should be aware of the provision in the Local Offer and be able to work with professionals providing a support role to families to ensure that pupils with SEN receive appropriate support and high quality teaching.

Identifying SEN in schools

All schools should have a clear plan to identifying and responding to SEN.

Identifying a child's needs early will enable an appropriate plan of support to be put into place and aims to improve the long-term outcomes for the child or young person.

A child has SEN where their learning difficulty or disability calls for special educational provision to be in place for them. This provision must be 'different from or in addition to' the provision that would be normally made for children of the same age.

For some children, SEN can be identified at an early age. However, for other children and young people difficulties become noticeable as they develop.

Everyone who works with children and young people should be aware of any difficulties and they should respond early. In particular, parents know their children

best and it is important that all professionals listen and understand when parents express concerns about their child's development. They should also listen to and address any concerns raised by children and young people themselves.

Schools should regularly assess each child's current skills and levels of attainment building a picture of information from previous settings and key stages where appropriate. Class and subject teachers, supported by the senior leadership team, should make regular assessments of progress for all children.

Teachers should identify children who are making less than the expected progress according to their age and individual circumstances.

When a child is not making the expected progress schools should ensure high quality teaching targeted at the child's individual needs.

If a child continues to not make progress the class or subject teacher, working with the SENCo, should assess whether the child has SEN. The school should gather as much information as possible at this time including information from parents, the child and any outside agencies involved. The school should also put in place extra teaching or other interventions designed to promote progress. The child's response to additional interventions and support can often help identify their particular needs.

However slow progress and low attainment do not automatically mean that a child has SEN therefore a full picture of a child's needs should be discussed with parents and an appropriate plan of support and action should be considered and reviewed regularly.

Areas of Special Educational Needs

Communication and interaction

- Children and young people with speech, language and communication needs (SLCN) have difficulty in communicating with others. This may be because they have difficulty saying what they want to, understanding what is being said to them or they do not understand or use social rules of communication. The profile for every child with SLCN is different and their needs may change over time. They may have difficulty with one, some or all of the different aspects of speech, language or social communication at different times of their lives.
- Children and young people with Autism Spectrum Disorder, including Asperger's Syndrome and Autism, are likely to have difficulties with social interaction. They may also experience difficulties with language, communication and imagination, which can impact on how they relate to others.

Cognition and learning

- Support for learning difficulties may be required when children and young people learn at a slower pace than their peers, even with appropriate changes to the curriculum.
- Specific learning difficulties (SpLD), affect one or more specific aspects of learning. This encompasses a range of conditions such as dyslexia, dyscalculia and dyspraxia.

Learning difficulties cover a wide range of needs including:

- Moderate learning difficulties (MLD)
- Severe learning difficulties (SLD), where children are likely to need support in all areas of the curriculum and associated difficulties with mobility and communication
- Profound and multiple learning difficulties (PMLD), where children are likely to have severe and complex learning difficulties as well as a physical disability or sensory impairment.

Sensory and/or physical needs

- Some children and young people require special educational provision because they have a disability which prevents or hinders them from making use of the educational facilities generally provided. These difficulties can be age related and may change over time.
- Children and young people with vision impairment (VI), hearing impairment (HI) or a multi-sensory impairment (MSI) will require specialist support and/or equipment to access their learning.
- Children and young people with a physical disability (PD) require additional on-going support and equipment to access all the opportunities available to their peers.

Social, emotional and mental health difficulties

- Children and young people may experience a wide range of social and emotional difficulties.
- This can include a child or young person becoming withdrawn or isolated, as well as displaying challenging, disruptive or disturbing behaviour. These behaviours may reflect underlying mental health difficulties such as anxiety or depression, self-harming, substance misuse, eating disorders or physical symptoms that are medically unexplained.
- Persistent disruptive or withdrawn behaviours do not necessarily mean that a child or young person has SEN. Where there are concerns, there should be an assessment to determine whether there are any other factors such as undiagnosed learning difficulties, difficulties with communication or mental

health issues or personal and family circumstances that are affecting the child or young person.

- Other children and young people may have disorders such as attention deficit disorder, attention deficit hyperactive disorder or attachment disorder.
- Schools should have clear processes to support children and young people, including how they will manage the effect of any disruptive behaviour so it does not adversely affect other pupils.

Medical conditions

Under the Children and Families Act 2014 schools and academies are expected to make arrangements to support pupils with medical conditions.

Individual medical care plans will normally specify the type and level of support required to meet the medical needs of such pupils. Where children and young people also have SEN, their provision should be planned and delivered in a co-ordinated way with the medical care plan.

Schools are required to have regard to statutory guidance 'Supporting pupils at school with medical conditions'.

The School Nurse is often involved in writing a Medical Care Plan.

Special Educational Needs Provision in Schools

Teachers are responsible and accountable for the progress and development of the pupils in their class, including where pupils access support from teaching assistants or specialist staff.

High quality teaching, differentiated and adapted for individual children, is the first step in responding to children who have or may have SEN.

Transition

SEN support should include planning and preparation for the transitions between phases of education and preparation for adult life. To support transition, the school should share information with the school, college or other setting the child or young person is moving to.

Schools should agree with parents and pupils the information to be shared as part of this planning process. Where a pupil is remaining at the school for post-16 provision, this planning and preparation should include consideration of how to provide a high quality study programme.

Involving specialists

Where a pupil continues to make less than expected progress, despite evidence-based support and interventions that are matched to the child's area of need, the school should consider involving specialists, including those secured by the school itself or from outside agencies.

However parents should always be involved in any decision to involve specialists.

Such specialist services include, but are not limited to:

- Educational psychologists
- Child and Adolescent Mental Health Services (CAMHS)
- Specialist Advisory Teachers or Support Service
- Therapists (including speech and language therapists, occupational therapists and physiotherapists)

The SENCo and class teacher, together with the specialists, and parents, should consider a range effective teaching approaches, appropriate equipment, strategies and interventions in order to support the child's progress. They should agree the outcomes to be achieved through the support, including a date by which progress will be reviewed.

Funding for SEN support

All mainstream schools are provided with resources to support those children with additional needs, including pupils with SEN and disabilities. Most of these resources are determined by a local SEN funding formula

Schools have an amount identified within their overall budget, called **the notional SEN budget** and it is for the school to provide high quality appropriate support from the whole of its budget.

It is for schools, as part of their normal budget planning, to determine their approach to using their resources to support the progress of pupils with SEN. The SENCo, head teacher and governing body or proprietor should establish a clear picture of the resources that are available to the school including any resources targeted at particular groups, such as the **pupil premium funding**.

This will enable schools to provide a clear description of the types of special educational provision they normally provide and will help parents and others to understand what they can normally expect the school to provide for pupils with SEN.

Assess, Plan, Do, Review cycle

SEN support in schools

Where a pupil is identified as having SEN, schools should take action to remove barriers to learning and put effective special educational provision in place. This SEN support in schools should be structured as a four-part cycle:

Assess, Plan, Do and Review

This is known as the graduated approach. Through this process the earlier decisions and actions are reviewed as well as a growing understanding of the child's needs, if the support in place for the child is having desired effect, is the child is making small steps of progress and are the outcomes and targets being met.

1) Assess

To identify if a child has SEN and needs additional support or interventions the class or subject teacher, working with the SENCo, should carry out an assessment of the child's needs. This should include the teacher's assessment and experience of the child, their previous development, progress and attainment in comparison to their peers and national data, the views and experience of parents, the child's own views and, if relevant, advice from external support services.

The information the teacher or SENCo gathers with parents about their child should be structured so that everyone has a good understanding of the child's areas of strength and difficulty, the parents' concerns, the agreed outcomes for the child and the next steps.

Schools should take seriously any concerns raised by a parent. These should be recorded and compared to the setting's own assessment and information on how the pupil is developing.

In some cases, outside professionals from health or social services may already be involved with the child. These professionals should liaise with the school to help inform the assessments. Where professionals are not already working with school staff the SENCo should contact them if the parents agree.

2) Plan

When it is decided to provide a child with SEN support, the parents must be formally notified, although parents should have already been involved in forming the assessment of needs as outlined above.

The teacher and the SENCo should agree in consultation with the parent and the child the adjustments, interventions and support to be put in place, as well as the expected impact on progress, development or behaviour, along with a clear date for review.

All teachers and support staff who work with the pupil should be made aware of their needs, the agreed outcomes, the support provided and any teaching strategies or approaches that are required. This should also be recorded on the school's information system.

Parents should be fully aware of the planned support and interventions and this information should be documented in a **SEN Support Plan**. Where appropriate, plans should seek parental involvement to reinforce or contribute to progress at home.

3) Do

The class or subject teacher should remain responsible for working with the child on a daily basis. Where the interventions involve group or one-to-one teaching away from the main class or subject teacher, they should still retain responsibility for the child.

The teacher should work closely with any teaching assistants or specialist staff involved, to plan and assess the impact of support and interventions and how they can be linked to classroom teaching.

The SENCo should support the class or subject teacher in the further assessment of the child's particular strengths and weaknesses, in problem solving and advising on the effective implementation of support.

4) Review

The effectiveness of the support and interventions and their impact on the child's progress should be reviewed with parents by the agreed date. This should be done along with the views of the child and their parents whilst deciding on any changes to the support and future

Parents should have clear information about the impact of the support and interventions provided, enabling them to be involved in planning next steps.

School logo

Photo
(Optional)

SEN Support Plan

Name of child/young person:

Likes to be known as:

Date plan started:

Date plan will be reviewed:

| | | | |
|--|--|--|--|
| Name: | | | |
| Date of Birth: | | Gender: | |
| Home address: | | | |
| First Language: | | Religion: | |
| Is this child/young person looked after? | | Full Care Order, Interim Care Order or Section 20 | |
| My Parent /Carer's details: | | | |
| Mother or carer's name: | | Father or carer's name: | |
| Mother's address if different from above: | | Father's address if different from above: | |
| Telephone number: | | | |
| E-mail address: | | | |
| Home background (e.g. siblings): | | | |
| Is this address protected? | | | |
| Unique number (UPN/FE): | | | |
| Emergency contact for child: | | | |

| | | |
|---|---|----------------|
| Aspirations of child/young person (for young people at Y9+ include longer term outcomes) | | |
| | | |
| Strengths of child/young person: (include child/parent/carers views and how those were obtained) | | |
| <i>Cross reference to My Story, if completed</i> | | |
| Strengths of child/young person (school or college views) | | |
| | | |
| What is the primary area of special educational need? | Are there any other areas of special educational need? | |
| | | |
| Academic progress: exceeding / expected / working towards | | |
| | Last review (& date) | Current |
| Reading (primary) | | |
| Writing (primary) | | |
| English (secondary) | | |
| Maths (all phases) | | |
| Attendance background: | | |
| | | |
| Reasons for SEN Support Plan: | | |
| | | |

Setting outcomes

Education: Consider 4 areas of needs:

Cognition and Learning, Communication and Interaction, Social, Emotional and Mental Health, Sensory and Physical

| Outcome over the next months: | This is what (<i>insert name</i>) needs: | When will it start? | How often will this happen? | Who will provide this support: | Resources and costs: | Has outcome been achieved? Yes; No; Partially- explain how |
|-------------------------------------|--|---------------------|-----------------------------|--------------------------------|----------------------|--|
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

Health:

| Outcome over the next months: | This is what (<i>insert name</i>) needs: | When will it start? | How often will this happen? | Who will provide this support: | Resources and costs: | Has outcome been achieved? Yes; No; Partially- explain how |
|--|---|----------------------------|------------------------------------|---------------------------------------|-----------------------------|---|
| | | | | | | |
| | | | | | | |

Social Care:

| Outcome over the next months: | This is what (<i>insert name</i>) needs: | When will it start? | How often will this happen? | Who will provide this support: | Resources and costs: | Has outcome been achieved? Yes; No; Partially-explain how |
|--|---|----------------------------|------------------------------------|---------------------------------------|-----------------------------|--|
| | | | | | | |

Agreement of SEN Support Plan

| | |
|---------------------------|-------------------------|
| Child/young person | Signature: |
| Parents/carers | Signature: |
| Head Teacher | Signature: |
| Other | Role: Signature: |
| Other | Role: Signature: |

Reviewing outcomes

| | | | |
|--|--|----------------------------------|--|
| Review date | | Meeting place | |
| People attending | | Apologies | |
| Reports attached (state agencies) | | | |
| Parent /carer views: | | Child/young person views: | |
| | | | |
| Outcomes (refer to pages 4 & 5 - if outcomes have not been fully met state any new outcomes : | | | |
| Education | | | |
| Health | | | |
| Social Care | | | |
| Recommendations of review meeting: | | | |
| <ul style="list-style-type: none"> a) SEN Support Plan to be continued - new outcomes set b) All outcomes met - support plan plus to cease (school to monitor) | | | |



9. Statutory Assessment and Education Health Care Plans

This information is about Education, Health and Care needs assessment, which is sometimes called statutory assessment. It covers:

- children in early years settings
- children and young people of school age

What is an EHC needs assessment?

An EHC needs assessment is a detailed look at the special educational needs (SEN) of a child or young person and the support he or she may need in order to learn.

Local authorities are responsible for carrying out EHC needs assessments under the **Children and Families Act 2014**.

The needs assessment brings together information about:

- what your child can and cannot do and the special help they need

It includes information from:

- you, your child, the early years' setting or school and other professionals who work with or support your child

The assessment is to see if your child needs an **Education, Health and Care plan (EHC plan)**.

When is an EHC needs assessment necessary?

The school or early years setting can often give your child help through **SEN support**. This means that the school makes additional or different provision from that provided to most other pupils to meet their needs. Sometimes other professionals will give advice or support to help your child learn.

Some children need more help than the school can provide. If your child does not make progress despite everything the school has tried, an EHC needs assessment might be the next step.

The local authority will look at:

- your child's attainments and rate of progress
- their special educational needs
- what has already been done
- the difference that support has made
- your child's physical, emotional and social development and health needs.

The law states that if your child has or may have special needs and may need provision to be made via an EHC plan, the local authority must conduct an EHC needs assessment. This means that you do not have to prove that an EHC plan is definitely necessary to obtain an assessment, you just have to show it *may* be

necessary. If you think your child needs more help than the school can provide, you can ask for an assessment.

Some children and young people will have needs that clearly require an EHC needs assessment and EHC plan. Immediately the local authority is aware that this is the case it must start the process without delay.

You can find out more about the criteria that local authorities should follow in the SEND Code of Practice sections 9.3 and 9.14 to 9.16.

Who can ask for an EHC needs assessment?

- parents – by writing to the local authority
- a young person over the age of 16 but under the age of 25
- the early years setting or school, but only after talking with you first

It is always a good idea to talk to the school or early years setting before asking for an EHC needs assessment. Other people, such as your doctor or a health visitor, can tell the local authority that they think your child needs an assessment.

What happens when the local authority gets a request for an EHC needs assessment?

As soon as the local authority gets a request for an EHC needs assessment they must tell you about it. The local authority has up to six weeks to decide whether to make an EHC needs assessment. During this time it may ask you, the school and other professionals for information.

It will look at all the information and must then tell you whether it has decided:

- to start the EHC needs assessment immediately **or**
- that an EHC needs assessment is not necessary.

What happens if the local authority decides that an EHC needs assessment is not necessary?

The local authority **must** tell you why it thinks that an EHC needs assessment is not needed. It **must** also tell you about:

- your right of appeal to the Special Educational Needs and Disability Tribunal and the time limit for appealing
- independent **disagreement resolution** and **mediation**
- how to get further information, advice or support.

What happens if the EHC needs assessment goes ahead?

The local authority will write to you to tell you what will happen and ask for your views. Your views and your child's views are really important. **Durham SENDIASS** can give you information, advice and support to help you with this.

The local authority will ask a number of other people for information about your child. This is called 'advice' and it should include information about:

- your child's education, health and care needs
- the desired **outcomes** for your child
- the special educational, health and care provision that might be required to meet their needs and achieve the desired outcomes.

The local authority **must** ask for advice and information from:

- parents (or the young person)
- your child's early years setting or school
- an educational psychologist
- health professionals who work with your child. This might include a paediatrician, speech and language therapist, physiotherapist or occupational therapist.
- social care staff
- anyone else you ask them to contact who may be able to give relevant advice.

If your child has a vision or hearing impairment the local authority must also seek information and advice from a suitably qualified teacher. The local authority should also try to find out your child's views. You, the school and other professionals may be able to help with this.

You will have the chance to discuss your child with everyone involved in the needs assessment and you will receive a copy of all the reports when the needs assessment is finished.

When does the EHC needs assessment end?

Once the local authority has all the information and advice it must decide whether your child needs an **Education, Health and Care plan**.

An EHC plan is a legal document written by the local authority. It describes the special educational needs that a child or young person has and the help that they will be given to meet them. It also includes the health and care provision that is needed. Sometimes the local authority will decide that your child has special educational needs that can be met through a **SEN support plan**. If this is the case the local authority must tell you of its decision within 16 weeks of receiving a request for an EHC needs assessment. The local authority must also tell you about your right of appeal. If the local authority decides an EHC plan is necessary it must first write a draft plan. It will send you the draft EHC plan and copies of the reports so that you

can read it all. You should check that everything you think is important has been included and that you agree with the outcomes and the proposed provision. The local authority will also ask you which school you prefer your child to go to. You have 15 days to make comments, to ask for a meeting or accept the draft plan. Note that if you do not reply within 15 days the local authority may assume that you agree with the draft plan.

The last stage is for the local authority to send you the final EHC plan. If you are still unhappy with the plan or cannot agree with the local authority on a school, you have a right to go to mediation and/or to appeal.

What if I do not agree with the local authority about the EHC needs assessment or the EHC plan?

At any stage you can ask to talk to a member of the local authority's staff. This will usually be the person named in the letter the local authority sends to you when it receives a request for an EHC needs assessment. You also have a right to request independent **disagreement resolution** and, in some circumstances, **mediation**. If the local authority decides that an EHC needs assessment and an EHC plan are necessary for your child, they must carry out the assessment and issue a plan whatever your views are.

How long does the EHC Assessment take?

From start to finish the assessment process take 20 weeks. See separate timeline for further details.

My child already has a Statement. Will they have an EHC needs assessment?

Between September 2014 and September 2018 local authorities will gradually transfer **Statements of Special Educational Need** to the new system. When this happens for your child an EHC plan transfer review will take place.

The review will involve an EHC needs assessment. You, your child or the young person **must** be invited to a meeting as part of this transfer review.

Your child's existing Statement, review reports and other information may be sufficient for the needs assessment as long as you, the local authority and those providing the advice agree that they are. If there is not agreement that they are sufficient, the local authority must gather more information and advice.

Where can I get more information, advice or support?

The Local Offer includes more information on the local arrangements for EHC needs assessments.

Durham SENDIASS can give you:

- information about EHC needs assessments and requesting an assessment
- advice and support during the process of assessment
- Support to gather parental views, child's views or young person's views
- information, advice and support about your rights to make a complaint, seek independent **disagreement resolution** or **mediation**.
- details of the local arrangements for **Independent Support**
- details of other organisations, support groups and services that may be of help

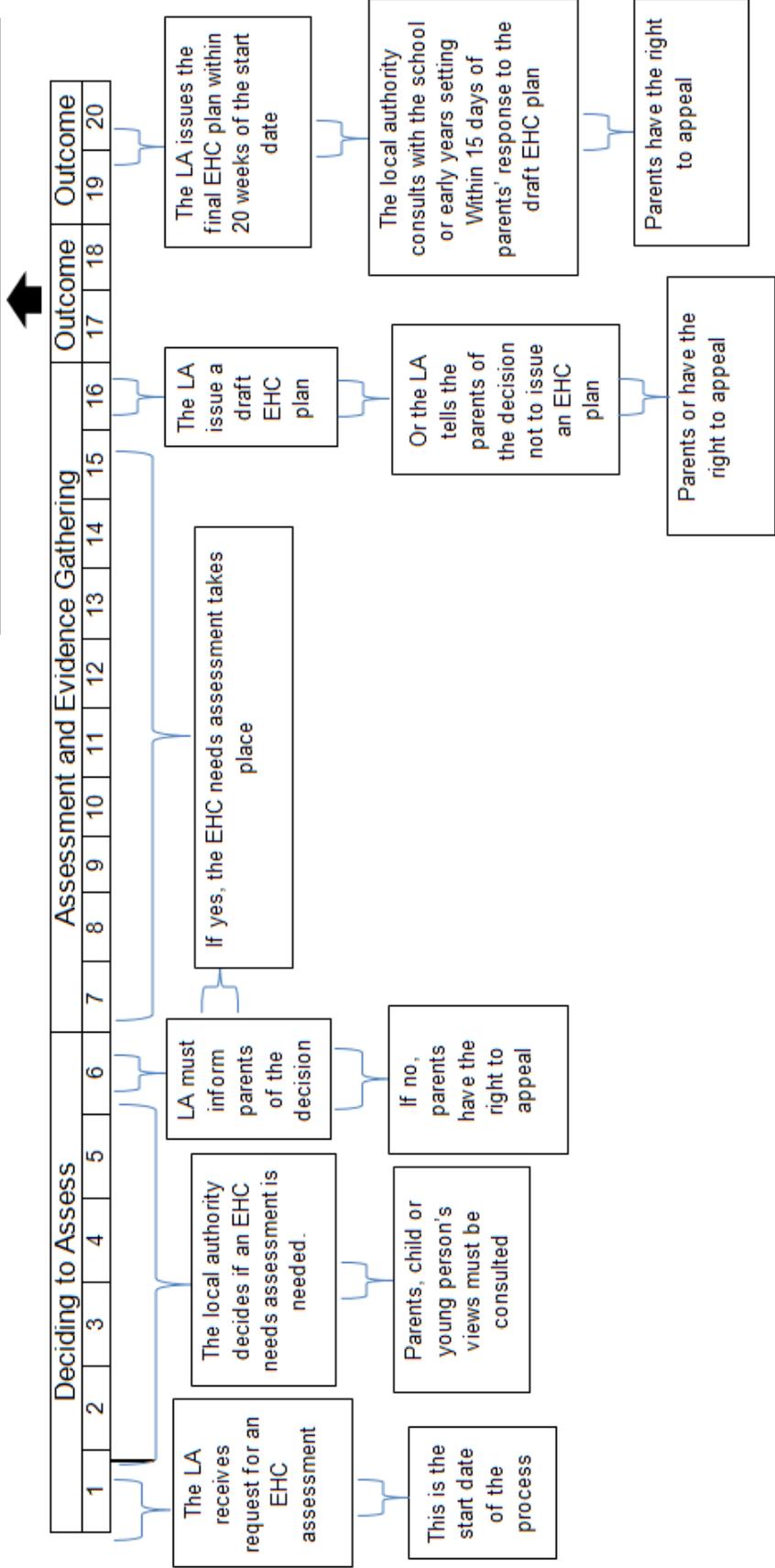
SENDIASS helpline number: 01915873541

Or Email: sendiass@durham.gov.uk

EHC Assessment and Plan Timeline
Whole process is 20 weeks

Parents must respond to the draft EHC plan.
Within 15 days of receiving the draft EHC plan

- agree that the draft is adequate
- ask for changes
- ask for a meeting
- state a preference for a school or early years setting



10. Choosing a school

Parents of children with special needs are no different to any other parents when it comes to choosing the right school. You look for an environment where your child is most likely to thrive – where they will feel happy and secure at school and benefit from the kind of teaching that enables them to develop, learn and meet their potential.

Nowadays, children with many different special needs are successfully included in mainstream settings - usually with additional support provided on a one-to-one or small group basis. A skilled class teacher knows how to differentiate (modify) the curriculum to meet each child's level of ability and learning style, allowing them to access the curriculum and learn alongside their peers.

A child with special needs who is properly included in their local mainstream school also benefits from having good role models, is likely to have friends in the neighbourhood and grows up as part of the community.

For some children it will be clear which type of educational setting is likely to be most suitable, but for others there will be a real choice to be made between mainstream and special school provision.

Special schools provide smaller class sizes and staff ratios as well as specialist teaching and resources. Teachers and teaching assistants are experienced in getting the best out of children with special needs and have training in specific areas, such as alternative methods of communication and strategies for managing difficult behaviour. Pupils at special schools often have use of some impressive extra facilities, such as soft-play rooms, sensory rooms and hydrotherapy pools. Working alongside others with a similar level of ability can lead to firm friendships and the chance for a child to grow in confidence and self-esteem

REMEMBER parents are partners with school staff working together for the good of their children. School governors also have some responsibilities for special educational needs.

When visiting schools you may find the following checklist helpful.

Visiting a potential school:

- It might be helpful to visit in school hours when children are in class.
- Will it be helpful to take your child with you?
- Do you want a guided tour around the school and a chance to ask questions?
- Do you want another adult to accompany you?
- Can you talk to other parents and children about the school?
- Is the school easy to get to?

- Each school has a Special Educational Needs Co-ordinator (SENCo) who co-ordinates the arrangements for special educational needs. You may like to discuss your child's individual needs with the SENCo.

Questions to ask if your child has Special Educational Needs (SEN):

- How will support for children with SEN be organised?
- Is the support usually provided in the classroom?
- What does the school do to promote the individual needs of all children?
- Are all areas of the school accessible to your child or would adaptations be necessary, for example hand rails and ramps.
- How does the school help children to respect and value one another?
- How does the school involve parents in school life?
- How will the school communicate with you about your child and his/her progress?

Things to look for:

- Do you feel welcome?
- Are the children looking happy? Are they helpful and friendly?
- Do the classrooms look like places where children can learn?
- Does the whole school look orderly and under control?
- Are the corridors and toilets clean and tidy?
- Is there evidence that the school celebrates different cultures?
- Are the displays current and interesting and do they seem to include pupils of all abilities?
- Does the staff seem interested in you and your child?
- Would you like to spend your days there?

Written Information:

There are several standard documents that the school should have and you may like to ask for:-

- The school brochure
- The Special Educational Needs Policy
- Behaviour policy
- Equal Opportunities policy
- Governor's annual report to parents
- The latest Ofsted report

11. Complaints

If you need to make a Complaint

When your complaint relates to your child's SEN, please see SENDIASS Leaflet entitled 'What if I do not agree with decisions about SEN Provision' at the back of this file

Complaining about Services for Children and Young People provided by Durham County Council

The following information is taken directly from the Council's complaints policy:

Durham County Council has to ensure that:

- Complaints are dealt with efficiently.
- Complaints are properly investigated.
- Complainants are treated with respect and courtesy.
- Complainants have access to support and advice from an independent source to assist them in bringing a complaint (this is provided through an Advocacy Service commissioned by Durham County Council).
- Complainants receive a timely and appropriate response.
- Complainants are told the outcome of the investigation of their complaint.
- Action is taken as necessary in the light of the outcome of the complaint.

Timescales

Durham County Council has set a locally-agreed time limit of 1 working day for a preliminary written acknowledgement. The legal time limit for acknowledging a complaint within the Local Authority Social Services and NHS Complaints Regulations 2009 is 3 working days and a full acknowledgement letter is issued within these timescales.

All other timescales for completion of the complaint must be agreed with the complainant.

**All Complaints should be made to the Complaints and Quality Officer:
at cascomplaints@durham.gov.uk or 03000 265762**

Complaints about Schools and/or Colleges should be made directly to the head of the school or college

- Schools and colleges have their own complaints procedures. If verbal discussions with staff do not resolve an issue, a complaint can be made, in writing, to the Head teacher or Principal, to include a request for a written response.

- Where it is clear that a complaint is against the Head teacher the matter has to be referred immediately to the Chair of Governors who, acting as *line manager*, will be responsible for dealing with it. The chair of governors will investigate and reply to your concern in writing.
- Further information can be obtained by requesting a copy of a school or colleges own complaints policy.

12. Durham SEND Information Advice and Support Service (SENDIASS)

Providing confidential, impartial support and advice for parents, carers, children and young people up to the age of 25 years in relation to their Special Educational Needs and Disability.



The Local Offer

What is the Local Offer?

Every local authority must publish a Local Offer. The Local Offer tells you what support the local authority expects to be available for children and young people with special educational needs (SEN) and/or disabilities. It must include information about education, health and care provision. It should also tell you about training, employment and independent living for young people with special educational needs and/or disabilities.

You can find the Local Offer for Durham County Council within the Families Information Service website;

<http://www.countydurhamfamilies.info>

Who is it for?

The Local Offer is for:

- children and young people with SEN and/or disabilities from birth to 25
- their parents and carers
- practitioners and professionals.

What is the idea?

The Local Offer should:

- make it easier to find out what you need to know
- give you information about what is available
- tell you where you can get further information.

The [Local Offer](#) should also make services more responsive to local needs.

The [SEND Code of Practice](#) says that the Local Offer should:

- *provide clear, comprehensive, accessible and up-to-date information about the available provision and how to access it*
 - *make provision more responsive to local needs and aspirations by directly involving disabled children and those with SEN and their parents, and disabled young people and those with SEN, and service providers in its development and review*
- (4.2)

What does it include?

The Local Offer includes information on:

- how children and young peoples' needs are identified
- how their needs are assessed
- the special educational, health and social care provision for children and young people with SEN or disabilities
- opportunities for training and employment
- support for independent living
- how provision is funded
- leisure activities and support groups
- where you can find more information, advice and support
- arrangements for travel to and from school and other settings
- the help available to resolve disagreements.

The Local Offer must also tell you about services provided outside your area which local people are likely to use. You can find the full list of what must be included in the [SEND Code of Practice](#) section 4.30.

How can I get involved?

The local authority **must** involve children and young people with SEN and disabilities, and parents and carers in preparing and reviewing the Local Offer. If you would like to be involved, or make some comments, you can find out more on the [Local Offer website](#).

Parents who want to be more involved in developing and reviewing the Local Offer can contact **Making Changes Together Parents Forum**
01915873541

Children and young people who want to be more involved in developing and reviewing the Local Offer can contact **Durham SENDIASS**
01915873541

The local authority must publish what children, young people and parents tell them about the Local Offer. It must also say clearly what it will do about the comments it has received.

Where can I get further information, advice or support?

Chapter 4 of the [SEND Code of Practice](#) tells you more about the Local Offer.

You can find Durham's Local Offer at <http://www.countydurhamfamilies.info>

Durham SENDIASS can also give you:

- information and advice about SEN and disability support and provision
- more information about local services, organisations, and resources which might help
- advice and support to get more involved

Durham SENDIASS helpline number: 01915873541

Or Email: sendiass@durham.gov.uk



Personal budgets for special educational needs

This information is about personal budgets for children and young people with special educational needs (SEN).

What is a Personal Budget?

A Personal Budget for SEN is money identified to pay for support specified in an **Education, Health and Care plan** (EHC plan) for a child or young person with special educational needs. It can include funds from the local authority for education and social care and from the Clinical Commissioning Group (CCG) for health.

There are four ways you can use a personal budget:

Sometimes the local authority, school or college will look after the Personal Budget for you. This is called an *Arrangement* or a *Notional Budget*.

Sometimes you can receive money directly to manage all or part of the Personal Budget yourself. This is called a **Direct Payment**.

Sometimes you can opt to have someone else to manage the Personal Budget for you. This is called a *Third Party Arrangement*.

Sometimes you can have a mixture of some or all of these arrangements.

Who can have a Personal Budget?

Parents of a child with an EHC plan, or a young person with an EHC plan, can request a Personal Budget either during the drafting of an EHC plan or once the plan has been issued and is under review.

You do not need to have an EHC plan to get Personal Budgets for social and health care, but once you have an EHC plan, or one is being prepared, you can request budgets for all three areas of support. You must have an EHC plan to get a Personal Budget for special educational provision.

However, you do not have to have a Personal Budget.

The [SEND Code of Practice](#) says:

*Local authorities **must** provide information on Personal Budgets as part of the Local Offer. This should include a policy on Personal Budgets that sets out a description of the services across education, health and social care that currently lend themselves to the use of Personal Budgets, how that funding will be made available, and clear and simple statements of eligibility criteria and the decision-making processes.*

9.96

You can see Durham County Council policy on Personal Budgets in Durham's

[Local Offer](#)

A young person with an EHC plan can ask for their own Personal Budget after the end of the school year in which they become 16.

Sometimes the local authority or the health authority may not agree to a Personal Budget. If the local authority refuses a personal budget for special educational provision it must tell you why. You cannot appeal to the Special Educational Needs and Disability Tribunal over this refusal.

What can a Personal Budget be used for?

Personal Budgets can be used only to fund the support set out in an EHC plan. This must be agreed by the local authority for education and care support, and by the health authority for the health provision.

You can find out what can be included in a Personal Budget in the [Local Offer](#). You can also ask **Durham SENDIASS** for more information about this.

A Personal Budget for educational provision cannot cover payment for a place at the school or college. A Personal Budget can include any top up funding (known as Element 3 funding). It can also include support that is managed by the school or college – but only if the Headteacher or Principal agree.

You can find out more about what can be included in a Personal Budget in Sections 9.110 to 9.118 of the [SEND Code of Practice](#).

What is the difference between a Personal Budget and a Direct Payment?

A Personal Budget shows you what money there is to make some of the provision specified in an EHC plan, and who provides it. The parent or young person does not actually manage the funds directly.

With a **Direct Payment** the parent or young person is given the money for some services and manages the funds themselves. The parent or young person is responsible for buying the service and paying for it.

A Personal Budget can include a Direct Payment if it is agreed that this is the best way to manage part of the Personal Budget.

Direct payments can be used for special educational provision in a school or college only if the school or college agree. Local authorities can refuse a direct payment for special educational provision if it would make things worse for other children and young people with an EHC plan, or if it would be an inefficient way to pay for services.

It is also possible to have a *Third Party Arrangement* to manage a Direct Payment.

How much will I get if I have Direct Payments?

How much you get will depend on what has been set out in the EHC plan. So it will vary from one person to another.

If the local authority has agreed to make a Direct Payment it must be enough to pay for the service or services specified in the EHC plan.

Are there other kinds of Personal Budget?

Yes – some people have had Personal Budgets for health provision (a Personal Health Budget) and for social care provision (e.g. Fair Access to Short Breaks). They may have managed some or all of the provision using a Direct Payment. But this is the first time that Personal Budgets have become available for SEN provision.

You can find out more about the different kinds of Personal Budget at <http://kids.ritdns.com/mip> .

Where can I get further information, advice or support?

You can see Durham County Council policy on Personal Budgets at [Local Offer](#)

Durham SEND**IASS** can also give you:

- more information about Personal Budgets, including Direct Payments

- advice on whether you may be able to get a Personal Budget and how you can apply for it
- information and advice on local services, organisations, and resources that may be able to help
- information, advice and support on what you can do if you are unhappy with the local authority's decision on your Personal Budget.

SENDIASS helpline number: 01915873541

Or Email: sendiass@durham.gov.uk



SEN Support in mainstream schools

This information is about the support that mainstream schools must and should provide for children with special educational needs (SEN).

The **SEND Code of Practice** says:

All children and young people are entitled to an education that enables them to make progress so that they:

- achieve their best
 - become confident individuals living fulfilling lives, and
 - make a successful transition into adulthood, whether into employment, further or higher education or training
- (6.1)

The duties on schools to make SEN provision

The **SEND Code of Practice** says mainstream schools **must**:

- *use their best endeavours to make sure that a child with SEN gets the support they need – this means doing everything they can to meet children and young people’s SEN*
 - *ensure that children and young people with SEN engage in the activities of the school alongside pupils who do not have SEN*
 - *designate a teacher to be responsible for co-ordinating SEN provision – the SEN co-ordinator, or SENCO.*
 - *inform parents when they are making special educational provision for a child*
 - *publish an SEN information report and their arrangements for the admission of disabled children, the steps being taken to prevent disabled children from being treated less favourably than others, the facilities provided to enable access to the school for disabled children and their accessibility plan showing how they plan to improve access progressively over time*
- (6.2)

What is SEN support?

Every child with special educational needs should have **SEN support**. This means help that is additional to or different from the support generally given to most of the other children of the same age.

The purpose of SEN support is to help children and young people achieve the **outcomes** or learning objectives set for them by the school in conjunction with parents and pupils themselves.

If your child is on **School Action** or **School Action Plus** they should transfer to SEN support by September 2015.

Every school must publish an **SEN information report** about the SEN provision the school makes. You can find this on the school's website. You can also ask your child's teacher or the school's Special Educational Needs Coordinator for information on the SEN provision made by the school.

The [Local Offer](#) published by Durham Local Authority also sets out what support it expects early years settings, schools and colleges to make for all children and young people with SEN or disabilities.

SEN support can take many forms, including:

- a special learning programme for your child
- extra help from a teacher or a learning support assistant
- making or changing materials and equipment
- working with your child in a small group
- observing your child in class or at break and keeping records
- helping your child to take part in the class activities
- making sure your child has understood things by encouraging them to ask questions and to try something they find difficult
- helping other children work with your child, or play with them at break time
- supporting your child with physical or personal care, such as eating, getting around school safely, toileting or dressing.
- advice and/or extra help from specialists such as specialist teachers, educational psychologists, and therapists.

When schools want to call in specialists, they should discuss and agree this with parents.

Who decides what SEN support my child has?

The **SEND Code of Practice** says

Class and subject teachers, supported by the senior leadership team, should make regular assessments of progress for all pupils. These should seek to identify pupils making less than expected progress given their age and individual circumstances.

(6.17)

The school should then decide if your child needs SEN support. The school should talk to you and your child about this. If a young person is 16 or older the school should involve them directly.

Sometimes you may be the first to be aware that your child has some special educational needs. If you think your child may need SEN support you should talk to your child's teacher or to the Special Educational Needs Coordinator.

If you are not happy about the support your child has you can ask to talk to the Special Educational Needs Coordinator or headteacher.

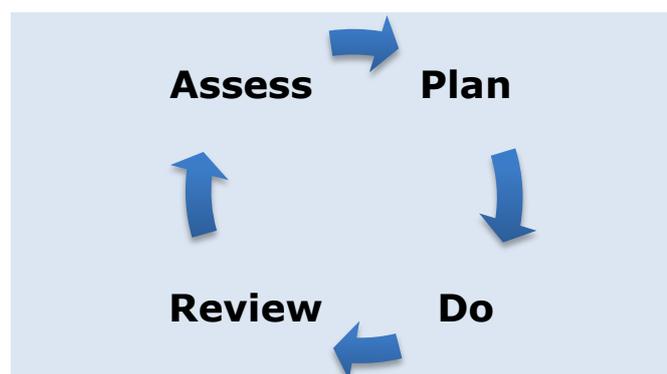
A graduated approach

The **SEND Code of Practice** says

- *Where a pupil is identified as having SEN, schools should take action to remove barriers to learning and put effective special educational provision in place.*

(6.44)

When your child is identified as having SEN, the school should use a graduated approach based on four steps. These are:



Assess

Teaching staff should work with the Special Educational Needs Coordinator to assess your child's needs, so that they give the right support. They should involve you in this and, where possible, seek your child's views. The **SEND Code of Practice** says:

Schools should take seriously any concerns raised by a parent.
(6.45)

Sometimes schools will seek advice from a specialist teacher or a health professional. They should talk to you about this first.

Plan

If the school decides that your child needs SEN support it **must** tell you. The school should agree with you the outcomes that will be set, what help will be provided and a date for progress to be reviewed.

Do

Your child's class or subject teacher is usually responsible for the work that is done with your child, and should work closely with any teaching assistants or specialist staff involved. The school should tell you who is responsible for the support your child receives.

All those who work with your child should be made aware of:

their needs, the outcomes sought, the support provided and any teaching strategies or approaches that are required.
(6.49)

Review

The **SEND Code of Practice** says

Schools should meet with parents at least three times a year.
(6.65)

The school should review your child's progress, and the difference that the help your child has been given has made, on the date agreed in the plan. You and your child should be involved in the review and in planning the next step.

If your child has not responded to the help they were given, the review should decide what can be done next. This may include more or different help.

Sometimes it helps to involve other professionals to investigate the difficulties or to plan the next steps.

You and the school can look at the [Local Offer](#) to see what support should be available that could help achieve your child's outcomes.

Sometimes the next step may be to ask the local authority for an **EHC needs assessment**. If the school decides to do this they must tell you. If you think it is needed you can ask for it yourself.

Where can I get more information, advice or support?

You can find out more about SEN Support by:

- looking at the SEN Information Report on the school website
- talking to your child's teacher or the Special Educational Needs Coordinator
- looking at the [Local Offer](#)
- reading Chapter 6 of the **SEN Code of Practice**

You can also get in touch with **Durham SENDIASS** who can give you:

- information about SEN support, including information about SEN funding
- advice about what to do if you are not happy with the support your school is providing
- information about other organisations, support groups and information services that could help
- information and advice about your rights to request an **EHC needs assessment**.

SENDIASS helpline number: 01915873541

Or Email: sendiass@durham.gov.uk



Education Health and Care (EHC) needs assessment for children in early years settings or at school

This information is about Education, Health and Care needs assessment, which is sometimes called statutory assessment. It covers:

- children in early years settings
- children and young people of school age

What is an EHC needs assessment?

An EHC needs assessment is a detailed look at the special educational needs (SEN) of a child or young person and the support he or she may need in order to learn.

Local authorities are responsible for carrying out EHC needs assessments under the **Children and Families Act 2014**.

The needs assessment brings together information about:

- what your child can and cannot do
- the special help they need

It includes information from:

- you
- your child
- the early years' setting or school
- other professionals who work with or support your child

The assessment is to see if your child needs an **Education, Health and Care plan (EHC plan)**.

When is an EHC needs assessment necessary?

The school or early years setting can often give your child help through **SEN support**. This means that the school makes additional or different provision from that provided to most other pupils to meet their needs. Sometimes other professionals will give advice or support to help your child learn.

Some children need more help than the school can provide. If your child does not make progress despite everything the school has tried, an EHC needs assessment might be the next step.

The [SEND Code of Practice](#) says:

In considering whether an EHC needs assessment is necessary, the local authority should consider whether there is evidence that despite the early years provider, school or post-16 institution having taken relevant and purposeful action to identify, assess and meet the special educational needs of the child or young person, the child or young person has not made expected progress. (9.14)

The local authority will look at:

- your child's attainments and rate of progress
- their special educational needs
- what has already been done
- the difference that support has made
- your child's physical, emotional and social development and health needs.

The law states that if your child has or may have special needs and may need provision to be made via an EHC plan, the local authority must conduct an EHC needs assessment. This means that you do not have to prove that an EHC plan is definitely necessary to obtain an assessment, you just have to show it *may* be necessary. If you think your child needs more help than the school can provide, you can ask for an assessment.

The [SEND Code of Practice](#) says:

A local authority must conduct an assessment of education, health and care needs when it considers that it may be necessary for special educational provision to be made for the child or young person in accordance with an EHC plan. (9.3)

Some children and young people will have needs that clearly require an EHC needs assessment and EHC plan. Immediately the local authority is aware that this is the case it must start the process without delay.

You can find out more about the criteria that local authorities should follow in the [SEND Code of Practice](#) sections 9.3 and 9.14 to 9.16.

Who can ask for an EHC needs assessment?

- parents – by writing to the local authority
- a young person over the age of 16 but under the age of 25
- the early years setting or school, but only after talking with you first

It is always a good idea to talk to the school or early years setting before asking for an EHC needs assessment.

Durham's Special Educational Needs and Disability Information Advice and Support Service (SENDIASS) can help you make your request.

Other people, such as your doctor or a health visitor, can tell the local authority that they think your child needs an assessment.

What happens when the local authority gets a request for an EHC needs assessment?

As soon as the local authority gets a request for an EHC needs assessment they must tell you about it. The [SEND Code of Practice](#) says:

In considering whether an EHC needs assessment is necessary, local authorities should pay particular attention to the views, wishes and feelings of the child and his or her parent, or the young person.
(9.12)

The local authority has up to six weeks to decide whether to make a needs assessment. During this time it may ask you, the school and other professionals for information.

It will look at all the information and must then tell you whether it has decided:

to start the EHC needs assessment immediately OR
that an EHC needs assessment is not necessary.

What happens if the local authority decides that an EHC needs assessment is not necessary?

The local authority **must** tell you why it thinks that an EHC needs assessment is not needed. It **must** also tell you about:

- your right of appeal to the Special Educational Needs and Disability Tribunal and the time limit for appealing
- independent **disagreement resolution** and **mediation**
- how to get further information, advice or support.

If you disagree with the decision **Durham SENDIASS** can explain your options to you.

What happens if the EHC needs assessment goes ahead?

The [SEND Code of Practice](#) says:

Local authorities must consult the child and the child's parent or the young person throughout the process of assessment and production of an EHC plan. They should also involve the child as far as possible in this process. The needs of the individual child and young person should sit at the heart of the assessment and planning process.

(9.21)

The local authority will write to you to tell you what will happen and ask for your views. Your views and your child's views are really important. **Durham SENDIASS** can give you information, advice and support to help you with this.

The local authority will ask a number of other people for information about your child. This is called 'advice' and it should include information about:

- your child's education, health and care needs
- the desired **outcomes** for your child
- the special educational, health and care provision that might be required to meet their needs and achieve the desired outcomes.

The local authority **must** ask for advice and information from:

- parents (or the young person)
- your child's early years setting or school
- an educational psychologist

- health professionals who work with your child. This might include a paediatrician, speech and language therapist, physiotherapist or occupational therapist.
- social care staff
- anyone else you ask them to contact who may be able to give relevant advice.

If your child has a vision or hearing impairment the local authority must also seek information and advice from a suitably qualified teacher.

The local authority should also try to find out your child's views. You, the school and other professionals may be able to help with this. If you think your child needs someone to help them give their views you can ask **Durham SENDIASS** for more information about this.

You will have the chance to discuss your child with everyone involved in the needs assessment and you will receive a copy of all the reports when the needs assessment is finished.

If you want information, advice or support during the EHC needs assessment contact **Durham SENDIASS**. This can include having an **Independent Supporter** to help you.

You can find out more about advice and information for EHC needs assessments in the [SEND Code of Practice](#) sections 9.45 – 9.52.

What if some of this advice is already available?

Sometimes advice and information is already available because other professionals have been working with your child.

The [SEND Code of Practice](#) says:

*The local authority **must not** seek further advice if such advice has already been provided (for any purpose) and the person providing the advice, the local authority and the child's parent or the young person are all satisfied that it is sufficient for the assessment process. In making this decision, the local authority and the person providing the advice should ensure the advice remains current. (9.47)*

When does the EHC needs assessment end?

Once the local authority has all the information and advice it must decide whether your child needs an **Education, Health and Care plan**.

An EHC plan is a legal document written by the local authority. It describes the special educational needs that a child or young person has and the help that they will be given to meet them. It also includes the health and care provision that is needed. You can read more about EHC plans in Durham's [Local Offer](#)

Sometimes the local authority will decide that your child has special educational needs that can be met through **SEN support**. If this is the case the local authority must tell you of its decision within 16 weeks of receiving a request for an EHC needs assessment. The local authority must also tell you about your right of appeal.

If the local authority decides an EHC plan is necessary it must first write a draft plan. It will send you the draft EHC plan and copies of the reports so that you can read it all. You should check that everything you think is important has been included and that you agree with the outcomes and the proposed provision. The local authority will also ask you which school you prefer your child to go to.

You have 15 days to make comments, to ask for a meeting or accept the draft plan.

Note that if you do not reply within 15 days the local authority may assume that you agree with the draft plan.

The last stage is for the local authority to send you the final EHC plan. If you are still unhappy with the plan or cannot agree with the local authority on a school, you have a right to go to mediation and/or to appeal (see below).

If you need help at any stage you can contact **Durham SENDIASS**.

How long does all this take?

| | |
|---|---|
| The local authority receives a request for an EHC needs assessment. The authority must tell parents about this request | This is the start date |
| The local authority decides whether an EHC needs assessment is needed. The authority must tell parents about its decision | Within six weeks of the start date |
| The EHC needs assessment takes place | This starts as soon as the decision is made |
| <i>EITHER</i> | |
| The local authority tells the parents of the | Within 16 weeks of the |

| | |
|--|---|
| decision not to issue an EHC plan | start date |
| <i>OR</i> | |
| The local authority sends a draft EHC plan to parents | |
| Parents must respond to the draft EHC plan. They can: <ul style="list-style-type: none"> • agree that the draft is adequate • ask for changes • ask for a meeting. Parents have the right at this point to state a preference for a school or early years setting | Within 15 days of receiving the draft EHC plan |
| The local authority consults with the school or early years setting | Within 15 days of parents' response to the draft EHC plan |
| The local authority issues the final EHC plan | Within 20 weeks of the start date |

Sometimes this timescale can be different. See [SEND Code of Practice](#) section 9.42.

What if I do not agree with the local authority about the EHC needs assessment or the EHC plan?

At any stage you can ask to talk to a member of the local authority's staff. This will usually be the person named in the letter the local authority sends to you when it receives a request for an EHC needs assessment.

If the local authority decides that an EHC needs assessment and an EHC plan are necessary for your child, they must carry out the assessment and issue a plan whatever your views are.

Durham SENDIASS can give you impartial information and advice about the options open to you, and support you through the process. This could include help from an **Independent Supporter**.

You also have a right to request independent **disagreement resolution** and, in some circumstances, **mediation**. You can find out more about disagreement resolution and mediation in the [SEND Code of Practice](#) Chapter 9.

My child already has a Statement. Will they have an EHC needs assessment?

Between September 2014 and September 2018 local authorities will gradually transfer **Statements of Special Educational Need** to the new system. When this happens for your child an EHC plan transfer review will take place.

The review will involve an EHC needs assessment. You, your child or the young person **must** be invited to a meeting as part of this transfer review.

Your child's existing Statement, review reports and other information may be sufficient for the needs assessment as long as you, the local authority and those providing the advice agree that they are. If there is not agreement that they are sufficient, the local authority must gather more information and advice.

Where can I get more information, advice or support?

You can read about Education, Health and Care needs assessments in the [SEND Code of Practice](#) Chapter 9.

The [Local Offer](#) includes more information on the local arrangements for EHC needs assessments.

Durham SENDIASS can give you:

- information about EHC needs assessments
- advice and support during the process of assessment
- details of the local arrangements for **Independent Support**
- details of other organisations, support groups and services that may be of help
- information, advice and support about your rights to make a complaint, seek independent **disagreement resolution** or **mediation**.

SENDIASS helpline number: 01915873541

Or Email: sendiass@durham.gov.uk



What if I do not agree with decisions about SEN provision?

This information is about what you can do if your child has special educational needs (SEN) or a disability and you are unhappy about the help they are getting.

Durham SENDIASS can:

- listen to your concerns
- help you sort out the issues
- identify other people who can support you
- help you decide what to do next
- explain the law and your rights.

The **SEND Code of Practice** says:

Decisions about provision for children and young people with SEN or disabilities should be made jointly by providers, parents, and children and young people themselves, taking a person-centred approach, with the views of children, young people and parents taken into account when those decisions are made. (11.1)

First steps

If you are not happy about the help that your child has at school the first step is to talk to their teacher, or to the **Special Educational Needs Coordinator** or the head teacher.

If you think the school is doing all it can but your child needs even more help, you can ask the local authority for an **EHC needs assessment**.

If your child has an **Education, Health and Care plan** you can also contact

the SEN Placement and Provision Team at County Hall.

Durham SENDIASS can help you prepare for and attend a meeting. If you still have concerns we can help you decide what to do next.

What next?

If you still have a problem you might be able to:

- seek some help to put your concerns forward

- make a complaint
- ask for independent disagreement resolution or mediation
- appeal against a decision.

Durham SENDIASS can tell you more about each of these and help you decide what to do.

Seeking help

It might be helpful to ask a friend or relative to attend a meeting with you. It is a good idea to keep notes or have records of what the school has done and has told you.

Durham SENDIASS can give you impartial information and advice about possible ways forward. They will also be able to offer you independent support, or tell you about other local or national groups that provide information and advice.

Making a complaint

If you think that the school, college or Durham Local Authority could do more, you can complain using their complaints procedure. They will send you a form if you ask for it. You will usually need to:

- have tried to resolve your complaint by speaking to the right people
- put your complaint in writing, using the word 'complaint'
- be clear about all the issues you want resolved
- state what you want to happen
- give a reasonable time by which you would like a response.

If you are not happy with the outcome of making a complaint or feel that it has not been dealt with properly **Durham SENDIASS** can give you information on what to do next.

You can find out more about complaints procedures in the **SEND Code of Practice** sections 11.2 and 11.67 to 11.111. If you want help to understand the different procedures, or advice on which to use, please contact **Durham SENDIASS**.

Disagreement resolution

Many disagreements can be sorted out by talking with the school, college, local authority, or, for health services, the Clinical Commissioning Group.

The **SEND Code of Practice** says:

Decisions about provision for children and young people with SEN should be made as soon as possible. In most cases this will be achieved by early years providers, schools, colleges, local authorities and clinical commissioning groups (CCGs) working closely together and agreeing what should be provided with parents and young people.

(11.3)

Sometimes it can be difficult to reach agreement. **Durham SENDIASS** can help you by providing impartial information, advice and support.

The **SEND Code of Practice** says:

Local authorities must make disagreement resolution services available to parents and young people. Use of the disagreement resolution services is voluntary and has to be with the agreement of all parties. The service, while commissioned by it, must be independent of the local authority – no-one who is directly employed by a local authority can provide disagreement resolution services.

(11.6)

Unite Mediation is an independent service that will provide a trained mediator to facilitate a discussion. The purpose is to look for a way forward that all the parties accept. The service is free and confidential - and you can choose whether to use it.

The disagreement resolution service is there to help resolve three kinds of disagreement between parents or young people and the organisations that are responsible for making provision for children and young people with special educational needs. These are about:

- how early years providers, schools and further education institutions carry out their duties for children and young people with SEN. For local authorities this includes keeping education and care provision under review, assessing needs and drawing up Education, Health and Care plans. For governing bodies and proprietors of schools it includes using their "best endeavours" to meet children and young people's SEN.
- the special educational provision made for a child or young person by early years providers, schools or further education institutions. This includes children and young people receiving **SEN support** and those with EHC plans.
- health or social care provision when this is part of an **EHC needs assessment**, while EHC plans are being drawn up, reviewed or when children or young people are being reassessed.

Disagreement resolution services can also be used:

- during EHC needs assessments
- while EHC plans are drawn up
- while waiting for Tribunal appeals
- at review
- during reassessments.

Durham SENDIASS or **Unite Mediation** can help you decide if independent disagreement resolution is the right way forward.

You can find out more about disagreement resolution services in the **SEND Code of Practice** sections 11.6 to 11.10.

Mediation

Mediation is a type of disagreement resolution for disagreements that can be appealed to the Special Educational Needs and Disability Tribunal. The service is free and confidential.

The **SEND Code of Practice** says:

If parents and young people want it to, mediation can take place following decisions by a local authority not to carry out an EHC needs assessment, not to draw up an EHC plan, after they receive a final EHC plan or amended plan, following a decision not to amend an EHC plan or a decision to cease to maintain an EHC plan.
(11.13)

If you wish to register an appeal with the **First Tier Tribunal (SEN and disability)** you first have to consider whether to enter mediation and obtain a certificate saying you have considered it. This is called **mediation advice**. If you decide not to go into mediation and tell the mediation adviser, they will send you a certificate within 3 working days and you can then register your appeal. You do not have to go into mediation if you do not want to – you only have to consider whether to or not.

Your local authority must tell you about mediation and who to contact for the initial advice when they send you their decision. You must contact the mediation adviser within two months of getting the decision. Your time limit for appealing to the Tribunal is two months from the date of that decision, or one month from the date of the mediation certificate, whichever is the later.

There is one exception to this rule. You can register an appeal without considering mediation first if the appeal is only about the name of the school, or college, named on the plan, the type of school or college specified in the plan or the fact that no school or other institution is named.

If you choose mediation the local authority (or Clinical Commissioning Group) must take part. The meeting will be arranged within 30 days.

An independent mediator runs the meeting. When the meeting has finished the mediator issues you with a certificate within 3 working days. You need this certificate if you still want to register an appeal with the First Tier Tribunal. Your time limit for appealing to the Tribunal is two months from the date of the decision you disagree with, or one month from the date of the mediation certificate, whichever is the later. Mediators must be trained and accredited and are independent of the local authority and Clinical Commissioning Group.

If you go over the two month deadline for considering mediation, or want to appeal without a certificate, the law says you can still approach the Tribunal to see if you can register your appeal.

Durham SENDIASS or **Unite Mediation** can help you decide if mediation is the right way forward.

You can find out more about mediation in the **SEND Code of Practice** sections 11.13 to 11.38.

Do I have to choose between making a complaint, using disagreement resolution, appealing to the Tribunal and mediation?

Usually you can follow more than one route. For example you can still make a complaint if you have already tried disagreement resolution.

Durham SENDIASS can explain your rights and the different procedures.

Appeals

The **SEND Code of Practice** says that parents and young people can appeal to the Tribunal about:

- *a decision by a local authority not to carry out an EHC needs assessment or re-assessment*
- *a decision by a local authority that it is not necessary to issue an EHC plan following an assessment*

- *the description of a child or young person's SEN specified in an EHC plan, the special educational provision specified, the school or other institution or type of school or other institution (such as a mainstream school/college) specified in the plan or that no school or other institution is specified*
- *an amendment to these elements of the EHC plan*
- *a decision by a local authority not to amend an EHC plan following a review or re-assessment*
- *a decision by a local authority to cease to maintain an EHC plan*

(11.45)

You can find out more about appeals to the Tribunal in the **SEND Code of Practice** sections 11.39 to 11.55. **Durham SENDIASS** can explain the appeal process to you and provide impartial advice and support.

Where can I get more information, advice or support?

You can find out more about making a complaint about provision at your child's school on its website or by asking about its complaints procedure.

Durham's [Local Offer](#) published by the local authority, includes information about the arrangements for resolving disagreements and for mediation, and details about making complaints. It also tells you about your right to appeal to the Tribunal.

Chapter 11 of the **SEND Code of Practice** includes a lot more information about complaints procedures, disagreement resolution, mediation advice and mediation.

Durham SENDIASS can give you:

- information about complaints procedures, disagreement resolution and mediation
- advice about what to do if you are unhappy with the support the school or college is providing
- details of other organisations, support groups and information services that might help
- information and advice about your rights to appeal to the First Tier Tribunal (SEN and Disability)
- impartial advice and support through the process of making a complaint, disagreement resolution, mediation or appeal.

National organisations that can also provide information and advice on SEND include:

| | |
|--|--|
| Coram Children’s Legal Centre | www.childrenslegalcentre.com |
| Contact a Family | www.cafamily.org.uk |
| IPSEA (Independent Panel for Special Educational Advice) | www.ipsea.org.uk |
| ACE (Advisory Centre for Education) | www.ace-ed.org.uk |

Local Mediation Service Contact Details:

Unite Mediation Tel; 01642311633 Website; www.unite-mediation.org

SENDIASS helpline number: 01915873541

Or Email: sendiass@durham.gov.uk



The impact of the SEND reforms on children and young people with Statements

This information is about how the reforms to the [SEND Code of Practice](#) affect children and young people who have **Statements of Special Educational Need (SEN)**, and young people in further education and training who have special educational provision through a **Section 139A Learning Difficulty Assessment (LDA)**.

How has the law changed?

In September 2014 the Children and Families Act 2014 came into force. A new [SEND Code of Practice](#) covers children and young people with special educational needs and/or disabilities from birth to age 25. One big change is that **Education, Health and Care Plans (EHC plans)** will replace Statements of SEN and LDAs.

The [SEND Code of Practice](#) says:

The purpose of an EHC plan is to make special educational provision to meet the special educational needs of the child or young person, to secure the best possible outcomes for them across education, health and social care and, as they get older, prepare them for adulthood.

(9.2)

Local authorities **must** transfer all children and young people who have a Statement to the new SEND system by 1 April 2018 unless the Statement is no longer necessary.

Every local authority should publish a **local transition plan**. This explains when and how Statements will be transferred to the new system, and gives information for young people in further education and training who receive support through an LDA.

How does this affect those with Statements?

Until 1 April 2018 local authorities must continue to comply with Part IV of the **Education Act 1996** (the old law) if the child or young person has a Statement. The Statement continues and annual reviews will take place until one of the following happens:

- the local authority decides to cease the Statement;

- the Statement ceases because the young person leaves education;
- there is a **transfer review** and:
 - an EHC plan is agreed, or
 - the local authority decides an EHC plan is not required.

The [SEND Code of Practice](#) says:

During the transition period local authorities will transfer children and young people with statements onto the new system.... No-one should lose their statement and not have it replaced with an EHC plan simply because the system is changing.

(9.4)

Transition to EHC plans is staggered over the next four years. In each year local authorities **must** transfer some groups of children and young people with Statements, and should give priority to other groups.

Between 1 September 2014 and 1 September 2015

Local authorities **must** transfer children and young people to EHC plans before they move from school (including school sixth forms) to post 16 education or an apprenticeship.

Local authorities **must** also transfer children and young people to EHC plans if they received an EHC plan but had no Statement before 1 September 2014 (some EHC plans were issued as part of the **SEN Pathfinder** project but they have no legal force as they were prepared before the new law came into effect).

Local authorities **must** also transfer young people on request to EHC plans if they have an LDA and will continue in education after August 2016.

Local authorities should give priority to children when they move from:

- an early years settings to school;
- infant to junior school
- primary to middle school
- primary to secondary school
- middle to secondary school
- mainstream to special school (or vice versa).

Local authorities should also give priority to those children and young people:

- children in Year 6 not included in the list above (including where the child stays at the same institution)
- in Year 9
- in Year 11
- leaving custody
- who had an EHC plan before 1 September 2014 (some EHC plans were issued as part of the **SEN Pathfinder** project)
- who move between one local authority and another
- who receive Direct Payments under the SEN Direct Payments Pilot Scheme.

Between September 2015 and April 2018

In each year, local authorities **must** transfer children and young people to the new system:

- in Year 9
- before they move between
 - an early years settings to school;
 - infant to junior school
 - primary to middle school
 - primary to secondary school
 - middle to secondary school
 - mainstream to special school (or vice versa).

In 2015/16, local authorities **must** also transfer young people on request to EHC plans if they have an LDA and will continue in education after August 2016.

Between September 2016 and 31st March 2018

In each year, local authorities should give priority to transferring to the new system those children and young people:

- children in Year 6 not included in the list above (including where the child stays at the same institution)
- in Year 11
- leaving custody
- who have an EHC plan issued before 1 September 2014 (some EHC plans were issued as part of the **SEN Pathfinder** project)
- who move between one local authority and another.

What is a transfer review?

A **transfer review** replaces the **annual review** in the academic year that the child or young person transfers to the new SEND system. The review must be completed within 12 months of the date the Statement was issued or of the previous annual review.

A transfer review requires an **EHC needs assessment** to decide what needs, outcomes and provision should be included in the EHC plan. This should include education, health and social care needs. In many cases the assessment information in existing Statements will be used. In fact the local authority **must not** ask for further advice if the advice it has already is sufficient, but you can disagree if you do not think it is and then the authority has to get new advice. Before existing advice is used, the person who provided the advice, the local authority, the child's parents or the young person must all be satisfied that the advice is "sufficient for the purposes of an EHC needs assessment".

You, your child or the young person **must** be invited to a meeting as part of the transfer review, and be given two weeks' notice of that meeting.

A transfer review ends when the local authority sends you (or the young person) a copy of the final EHC plan, or when it informs you (or the young person) that an EHC plan will not be issued. The local authority **must** finalise the EHC plan, where one is needed, within **14 weeks** of you being told that they are carrying out the transfer review or an EHC needs assessment.

For moves between school stages there are particular deadlines for the issue of EHC plans. These are:

- 31 May 2015 if the child or young person will transfer from secondary school to a post 16 institutions on 1 September 2015. In subsequent years the deadline will be 31 March in the calendar year that the child or young person transfers from secondary school to post 16 institution
- 15 February in the calendar year of the child's transfer in any other case.

Once the transfer process starts, your rights to appeal to the Special Educational Needs and Disability Tribunal under the Children and Families Act 2014 replace those you had under the Education Act 1996.

What does an EHC plan look like?

Every local authority can decide how to set out the EHC plan, but it must include 12 specific sections.

Key differences compared to Statements should include:

- a greater focus on outcomes
- more emphasis on the involvement of parents, children and young people
- improved integration of health and social care provision
- continuation, where appropriate, to age 25
- more rights for young people.

How does this affect those with Learning Difficulties Assessments?

Local authorities must continue to have regard to the statutory Learning Difficulty Assessment guidance until 1 September 2016. If a young person with an LDA requests it, the local authority must transfer them to an EHC plan by 1 September 2016 if they are staying in further education or training after that date.

What if I do not agree with the local authority?

The first step is to contact the local authority to discuss your concerns.

Durham SENDIASS offers impartial advice and support and can explain your options, including your rights to request reassessment and to appeal.

Where can I get more information, advice or support?

You will find the Department for Education guidance on the transition arrangements at <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>.

Every authority has a **transition plan** that sets out the local arrangements. You can see it on Durham's [Local Offer](#) website.

Durham SENDIASS can also give you:

- information about the local transition arrangements, and advice on how they might affect you or your child
- information and advice about transfer reviews

- advice and support during the transition process and in transfer reviews
- details of other organisations, support groups and information services that could help
- information, advice and support about your rights to make a complaint, seek independent **disagreement resolution** or **mediation** and appeal to the **SEND Tribunal**.

SEND**IASS** helpline number: 01915873541

Or: sendiass@durham.gov.uk



Funding for special educational needs in mainstream schools

This information is about funding for special educational needs (SEN) in mainstream schools. This includes academies and free schools.

What is SEN funding for?

The [SEND Code of Practice](#) says schools **must**:

...use their best endeavours to make sure that a child with SEN gets the support they need – this means doing everything they can to meet children and young people’s SEN
(6.2)

Schools should use some of their budget to buy resources and make provision for children who need additional help. This can take many forms. For example, children with SEN might need:

- changes to the curriculum
- special equipment or teaching materials
- the use of additional information technology
- small group work
- support in the classroom
- a base to work in or have quiet time.

Where does funding for SEN come from?

All mainstream schools receive money for special educational needs support and resources. Schools can decide how to spend this money. This is called “delegated” funding because it is given (delegated) to schools by local authorities or the **Education Funding Agency** from money they receive from central government. The SEN part of the school’s income is sometimes called the “notional” SEN budget because it is not based on the school’s actual numbers of pupils with special needs, but on a formula.

Funding for SEN provision is from three sources (“elements”):

Element 1

Schools get money for each pupil, based on actual pupil numbers. This is called the **Age Weighted Pupil Unit (AWPU)** and it is part of schools’ delegated funding. Some of this money is for general SEN provision. This might, for example, include the cost of providing the Special Educational Needs Coordinator (SENCO) and some other resources.

Each local authority sets the AWPU for their schools, and the Education Funding Agency sets the AWPU for academies and free schools. The AWPU differs according to whether the school is primary or secondary etc.

Element 2

Element 2 funding is SEN-specific, and is to provide **SEN support** for children who need it. This is support that is *additional to or different from* the support that most other children get. SEN support is for children who used to have help through **School Action** and **School Action Plus**.

The local authority provides this funding for schools it is responsible for using a formula that determines the amount of money the school gets. The formula gives more money to schools that in the past had more children on free school meals and more children who were not doing as well as others in English and Maths. The **Education Funding Agency** provides this funding for academies and free schools. Element 2 funding is also part of schools’ delegated budget.

Government guidance says schools should provide up to the first £6,000 (on top of the AWPU) of additional or different support for those children who need it, including those with an **Education, Health and Care plan** (or a **Statement of Special Educational Need**). This does not mean that the school will spend £6,000 on every child with SEN. Sometimes schools use funds to help groups of children. Some children will need less help – and some children may need more.

You can ask your school how it uses its SEN budget to support your child and whether it has enough to make all the provision they need. The local authority also publishes a **Local Offer** that explains what type of resources this money might be spent on.

Element 3

Where a school has children needing very expensive provision which might absorb a lot of the SEN support funding, the school can request

additional funding. The local authority is responsible for managing Element 3 funding (sometimes called the 'high needs block'), which can be used to make specific provision for an individual child or a group of children, if the school or academy can show it is necessary.

You can find details of how this funding is allocated in the [Local Offer](#)

These funding arrangements do not override the local authority's duty to your child to ensure they receive any necessary provision that the school itself cannot make. The law says that the local authority must find out via an **EHC needs assessment** whether an EHC plan is needed when a child or young person may have SEN that may need the local authority to secure provision.

So if your school is unable to make all the provision your child needs, you have the right to ask for an EHC needs assessment.

Who manages the school's SEN resources?

The [SEND Code of Practice](#) says:

It is for schools, as part of their normal budget planning, to determine their approach to using their resources to support the progress of pupils with SEN. The SENCO, head teacher and governing body or proprietor should establish a clear picture of the resources that are available to the school. They should consider their strategic approach to meeting SEN in the context of the total resources available, including any resources targeted at particular groups, such as the pupil premium.

(6.97)

School governors are responsible for the school's policy on SEN. The head teacher and the SENCO ensure that the policy is put into practice. The SENCO organises support for individual children, but every teacher is responsible making sure that your child's special educational needs are met in the classroom.

The **SEN Information Report** on the school's website tells you more about the arrangements for SEN support and how to contact the SENCO.

How can I find out what support and resources my child is getting?

The first step is to talk with your child's teacher or the SENCO. This may be at a parents' evening, a support plan meeting or a review. You can ask for a written copy of any support plan in place for your child.

If your child has an Education, Health and Care plan (or Statement of Special Educational Need) it must set out the support and resources that must be provided.

Where can I get further information, advice or support?

- Look for the SEN Information Report on the school website.
- The [Local Offer](#) is the place to find out about services available locally and the arrangements that schools and others are expected to make for children and young people with SEN.

Durham's Special Educational Needs and Disability **Information, Advice and Support Service** (SENDIASS) can also give you:

- more information about SEN support and funding
- advice about what to do if you are not happy with the support your school is providing
- information about other organisations, support groups and information services that could help
- information and advice about your rights to request an **EHC needs assessment** if your child might need more than the school can provide.

SENDIASS helpline number: 01915873541

Or Email: sendiass@durham.gov.uk



Helping you to write your child's 'My Story'

When you or your child's school apply for statutory assessment, you will be asked to complete your child's 'My Story'. This is a document that outlines his or her life **from the child or young person's point of view**. You will describe school placements, explain complex relationships, and difficult times for the child or young person. You will also put in some practical information about family circumstances and what your child likes and dislikes and especially, what's important to them.

It's important that some sections of the My Story booklet are worked through with your child to capture and record their views, although not every child or young person will want to, or be able to express their own views. In this case you, as their parent or carer will need to provide most of the information for them.

There is also a chance to record your own parent's views.

This leaflet aims to help you work through some of the things you might like to include. If you require further help or support, please contact the **SEND Information, Advice and Support Service** on 0191 5873541.

Completing your child's My Story

Photographs of your child and family and the things that are most important to him/her really bring the booklet to life. Consider adding photographs and pictures of the things he or she loves such as pets, hobbies etc.

The section asking the questions;

- What people like and admire about me
- The best way to help me now
- What's important to me now

Is one of the key sections you should work through with your child. Try to capture what they think other people might like about them, and what help they feel they need, rather than what you feel they need. What's important to them now might be something as straightforward as, for example, wanting a have a friend.

The headings below are aimed at guiding you through some of the things you and your child might want to record in the background sections of the My Story. You don't need to include it all. Some will be relevant to the age and needs of your child and some won't.

View this as an aid to thinking about your child and his/her life. Were there things that happened or didn't happen, during your child's life and development that should be included in their My Story?

The Early Years

- What was your child like as a baby/toddler?
- Were you happy about progress at the time?
- When did you first feel things were not right?
- What happened?
- What advice or help did you receive - from whom?

Your child's general health

Think about his/her eating and sleeping habits; general fitness, absences from school, minor illnesses – coughs and colds. Has he/she had any serious illnesses/accidents – periods in hospital. Are they on any medication or special diet?

Physical Skills

Does he/she have any problems with walking, running, climbing – riding a bike, football or other games, drawing pictures, writing, doing jigsaws, using construction kits, or are they particularly gifted at any of these.

Self-Help Skills

How is his/her level of personal independence – dressing, etc; making bed, washing own clothes, keeping room tidy, coping with day-to-day routine; budgeting pocket money, general independence – getting out and about.

Communication Skills

Concerns about speech and understanding of language, for example, can your child explain what they want, describe events, people, understand conversation rules/interrupting, follow instructions,

Playing and Learning at Home

- What does your child like to play with or do?
- What is your child good at or what do they enjoy doing?

Relationships

Describe your child's relationship with you, brothers and sisters; with friends; with relations; people they don't know. Does your child mix well or prefer to be on his/her own.

How do you think your child's needs affect the needs of the family as a whole?

Describe your child's relationship with other children and adults at school.

Describe your child's behaviour at home

For example, do they co-operate, share, listen to and carry out requests, help in the house, offer help, fit in with family routine and 'rules'.

How is their general mood? good and bad, sulking, temper tantrums, affectionate.

Describe the current situation at school

- How has the school helped?
- Are you happy with your child's progress with reading, writing, number, other subjects and activities at school?
- What do you think your child's special educational needs are?
- How do you think these can be best provided for?
- What do you worry about or have concerns about for your child at school?

There are some useful resources available to understand more about person centred thinking and planning at:

<http://www.helensandersonassociates.co.uk/reading-room/how/person-centred-thinking/person-centred-thinking-tools.aspx>



What do we mean by impartial information, advice and support?

This information is about the impartial information, advice and support required by the **SEND Code of Practice**.

What does the SEND Code of Practice say?

The **Children and Families Act 2014** says local authorities **must** provide information advice and support about special educational needs (SEN), disability, health and social care for children, young people and parents.

The **SEND Code of Practice** says:

Local authorities must arrange for children with SEN or disabilities for whom they are responsible, and their parents, and young people with SEN or disabilities for whom they are responsible, to be provided with information and advice about matters relating to their SEN or disabilities, including matters relating to health and social care. This must include information, advice and support on the take-up and management of Personal Budgets. In addition, in carrying out their duties under Part 3 of the Children and Families Act 2014, local authorities must have regard to the importance of providing children and their parents and young people with the information and support necessary to participate in decisions.
(2.1)

This means that every local authority should provide a service that is free, easy to access and confidential and that can help children, parents and young people take part in decisions that affect their lives.

The [Local Offer](#) must include information about the sources of information, advice and support for parents, children and young people and how this is resourced.

In County Durham this service is provided by the Families Information Service.

What do we mean when we say we are impartial?

The **SEND Code of Practice** says:

The information, advice and support should be impartial and provided at arm's length from the local authority and Clinical Commissioning Groups (2.8)

This means that the information, advice and support that we offer are firmly based in the law and the **SEND Code of Practice**.

We provide unbiased information and advice about the local authority's policies and procedures and about the policy and practice in local schools and other settings.

We do not give priority to any particular impairment, disability or special educational need, nor do we campaign for any particular approach to education.

By being impartial we aim to help parents, children and young people have clear, accurate and relevant information that will help them take part in decisions about their lives.

You can read our Impartiality Policy at www.durhamsendiass.info

How do we know that we are impartial?

It is very easy to be biased. Everyone has opinions about most things! Sometimes people can be biased without even realising it.

That is why we really value your opinion about the information, advice and support we offer. We want you to tell us if you think we are not impartial. To help us check that we are impartial we routinely ask those who use our service to say whether they think we have been biased one way or another.

At **DURHAM SENDIASS** we follow a national set of **Quality Standards for services providing impartial information, advice and support** developed by the **Network of Information, Advice and Support Services**. This helps us to monitor the effectiveness of our service we provide and ensure that it is 'at arm's length' from the local authority. By this we mean that we act, and are seen to act, separately and impartially, with no undue influence or control from either the local authority or the Clinical Commissioning Group in our area.

What information, advice and support do we offer?

We offer accurate, up to date and impartial resources and information about the law on special educational needs and disability. This covers:

- education, health and social care
- national and local policy
- the Local Offer
- your rights and choices
- your opportunities to participate
- where you can find help and advice
- how you can access this support.

We provide information in many ways, including our website; www.durhamsendiass.info , publications, training events and conferences.

Sometimes information alone is not enough. You may want help to gather information, make sense of it and apply it to your own situation. We call this advice and we offer this service by email, on the telephone, face to face and through work with groups or in training.

We can also offer more intensive support if you need it. This can include helping with letters, attending meetings with you or supporting you in discussions with the local authority, school or other setting. We may be able to help you find a **key worker**, or an **Independent Supporter** or a volunteer who can support you.

When we are not able to help we will do our best to tell you about, or put you in touch with, other groups or organisations that can help. We call this **signposting**.

Is the service confidential?

YES!

We will not share your information with anyone unless you tell us we can. The only exception to this would be because we have a specific concern about a child's safety.

You can find our **Confidentiality Policy** on our website.

We will often work with parents and children or young people together. Sometimes we will work with them separately. When we do this the same confidentiality rules apply.

Where can I find out more?

You can read about impartial information, advice and support in the **SEND Code of Practice** Chapter 2.

Durham's [Local Offer](#) includes details of Durham County Council's arrangements for providing information, advice and support.

Look at the **DURHAM SENDIASS** website for information about our services, copies of our publications and contact details.

SENDIASS helpline number: 01915873541

Or Email: sendiass@durham.gov.uk

14. Home to School Transport Information

Home to primary school transport

This page gives you information about home to school transport for pupils attending primary school. The policy on this page is applicable to pupils who started primary school from 1 September 2012 or later. Older pupils will be assessed under the previous home to school transport policy.

Who qualifies?

Pupils of compulsory school age are entitled to free home to school transport to the nearest suitable school, where the home to school distance is over two miles for children up to the age of eight years; and where the distance is over three miles for pupils of eight years and over. We have agreed that the three mile limit will not apply on the child's eighth birthday but will be from the start of the academic year after the child reaches the age of eight years (usually from the commencement of Year 4).

Extended transport policy

For primary school children aged eight but under age 11 years, who are eligible for free school meals, or whose parents receive their maximum level of Working Tax Credit, free transport will be provided to their nearest suitable school, if that school is more than two miles from the child's home.

Policy notes

1. A suitable school is the maintained school or academy which, in our view, offers an efficient full-time education suited to the age, ability, aptitude and any special educational needs of the pupil and at which there is a place available for the pupil. Individual subject choices will not be considered in determining the nearest suitable school. For pupils whose nearest suitable school is in a neighbouring authority, we will, if the parent would prefer a school place in County Durham for their child, also provide free transport to the nearest suitable school within County Durham, providing that other eligibility criteria (eg distance) are met.
2. If the nearest suitable school is a Voluntary Aided (Church) maintained school, transport will be provided over the distance limit to this and to the nearest suitable non-Voluntary Aided maintained school.

3. If you move house, you will not be entitled to free travel to your child's existing school if it is no longer the nearest suitable school.
4. Escorts on vehicles are only provided for those pupils who have a Statement of Special Educational Needs or an Education, Health and Care Plan and only where these identify the need for escort provision.
5. Where spare seats are available on a school bus, these can be sold to pupils who are not entitled to free transport. This is called concessionary travel. The cost for each seat is £1.50 per day, which may be paid in monthly instalments. Full details of the concessionary travel scheme, including bus routes available, how to apply, how seats are allocated and how to pay are available online.

Home to secondary school transport

This page gives you information about home to school transport for pupils attending secondary school. The policy on this page is applicable to pupils who started secondary school from 1 September 2012 or later. Older pupils will be assessed under the previous home to school transport policy

Who qualifies?

Pupils of compulsory school age are entitled to free home to school transport to the nearest suitable school, if that school is more than three miles from the parental home using the shortest available walking route.

Extended transport policy

For secondary school children who are eligible for free school meals, or whose parents receive their maximum level of Working Tax Credit, free transport will be provided to;

- one of the three nearest qualifying schools, if that school is more than two but less than six miles from the child's home, or
- the nearest secondary school preferred because of religion or *belief for pupils whose parent(s) adhere to that particular faith, where that school is more than two but less than fifteen miles from the child's home.

* For this purpose, parental adherence to the Roman Catholic faith has been defined as where at least one parent and the pupil are baptised Roman Catholic; and to the Anglican faith where at least one parent is a confirmed Anglican and the pupil is a baptised Anglican. The six mile upper limit to a choice of schools and the fifteen mile

upper limit to a school preferred on the grounds of religion or belief are not walking routes therefore these routes will be measured along road routes.

Policy notes

1. A suitable school is the maintained school or academy which, in our view, offers an efficient full-time education suited to the age, ability, aptitude and any special educational needs of the pupil and at which there is a place available for the pupil. Individual subject choices will not be considered in determining the nearest suitable school. For pupils whose nearest suitable school is in a neighboring authority, we will, if the parent would prefer a school place in County Durham for their child, also provide free transport to the nearest suitable school within County Durham, providing that other eligibility criteria (eg distance) are met.
2. If the nearest suitable school is a Voluntary Aided (Roman Catholic) maintained school, transport will be provided over the distance limit to this and to the nearest suitable non-Voluntary Aided maintained school.
3. Where spare seats are available on a school bus, these can be sold to pupils who are not entitled to free transport. This is called concessionary travel. The cost for each seat is £1.50 per day, which may be paid in monthly instalments. Full details of the concessionary travel scheme, including bus routes available, how to apply, how seats are allocated and how to pay are available on the Durham County Council website.
4. If you move house, we may be prepared to assist with travelling expenses to enable your child to continue to attend the same school where a pupil was attending the nearest suitable school prior to the move. The house move must have taken place after your child began GCSE studies at the school, typically in years 10 and 11. These arrangements will not be extended if your child continues into post-16 education.
5. Escorts on vehicles are only provided for those pupils who have a Statement of Special Educational Needs or an Education, Health and Care Plan and only where these identify the need for escort provision.

15. Transition to Post 16 and Preparing for Adulthood

High aspirations about employment, independent living and community participation should be developed through the curriculum and extra-curricular provision. Schools should develop partnerships with employment services, businesses, housing agencies, disability organisations and arts and sports groups, to help children understand what is available to them as they get older, and what it is possible for them to achieve.

For children with EHC plans preparing for Post 16 transition and preparing for adulthood starts in year 9 at the annual review meeting. Discussions and planning must be centred on the child and should explore the child's aspirations and abilities, what they want to be able to do when they leave post-16 education or training and the support they need to achieve their ambition. For example, in Year 9, the aim should be to help children explore their aspirations and how different post-16 options can help them meet them.

Schools and colleges should work in partnership to provide opportunities such as taster courses, link programmes and mentoring which enable young people with SEN to familiarise themselves with the college environment and gain some experience of college life and study. This can include, for example, visits and taster days so that young people can become familiar with the size of the college, and how their studies will be structured, including how many days a week their programme covers.

Young people entering post-16 education and training should be accessing provision which supports them to build on their achievements at school and which helps them progress towards adulthood. Young people with EHC plans are likely to need more tailored post-16 pathways.

The local authority's Improving Progression Team would usually become involved in and would support the EHC review and planning for Post 16 Provision from Year 9 onwards.

As young people develop, and increasingly form their own views, they should be involved more and more closely in decisions about their own future. After compulsory school age (the end of the academic year in which they turn 16) the right to make requests and decisions under the Children and Families Act 2014 applies to them directly, rather than to their parents. Parents, or other family members, can continue to support young people in making decisions, or act on their behalf, provided that the young person is happy for them to do so, and it is likely that parents will remain closely involved in the great majority of cases.