



**THE RIGHT SUPPORT  
IN THE RIGHT PLACE  
AT THE RIGHT TIME**

# **EFFECTIVE SUPPORT FOR CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) AND THEIR FAMILIES IN SOMERSET**



**Multi-agency guidance for all who work with children and young people with and their families for graduated early help, targeted and specialist support**





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If you need further advice on SEND please contact:

### LOCAL OFFER

[choices.somerset.gov.uk/025](http://choices.somerset.gov.uk/025)

### SOMERSET DIRECT

Children Services

**0300 123 2224**

### SENDIAS

Special Educational Needs and Disability (SEND) Information Advice and Support

**01823 355 578**

# SEND CHARTER

## THE SOMERSET SPECIAL EDUCATIONAL NEEDS AND DISABILITIES (SEND) 0-25 CHARTER

### HOW WE WORK TOGETHER TO DELIVER SEND INCLUSION

#### OUR VISION

All SEND practitioners become leaders of SEND, working together to ensure that we consider and involve children and young people with SEND and their families in everything that we do and deliver excellent child and family centred provision across Somerset.

The SEND Charter is not about creating new structures or services, but establishing a cohesive, collaborative SEND provision delivered jointly by all partners. We will commit to providing **high quality SEND provision** by:

- ◆ Ensuring our services and staff are **accessible** and **approachable**, supporting the use of universal language wherever possible
- ◆ Working **collaboratively** in an **open**, **honest** and **transparent** way
- ◆ Nurturing and encouraging **positive**, **flexible** and **solution focused** attitudes
- ◆ Working and thinking **creatively** in a **structured and organised** way

#### OUR PRINCIPLES

Our approach to providing excellent SEND provision is based on a set of shared principles:

- ◆ First and foremost, ensuring that provision is **child and family centred** and that they are at the heart of everything we do and **involved in processes**
- ◆ All practitioners will be treated **respectfully** and **professionally** by one another in a blame-free, **supportive** environment offering **positive challenge** where appropriate
- ◆ Help will be provided **early and effectively** reducing the need for statutory or specialist intervention, **empowering families** to promote their **independence**
- ◆ Communication will be **clear and open**, ensuring **information is shared** effectively, helpful **signposting** is in place and clarity given over **roles and responsibilities**

#### OUR IMPACT

- ◆ The child's voice is heard and acted upon
- ◆ Stronger and more efficient partnerships
- ◆ Coherent service that meets the needs of families
- ◆ Clear and meaningful planning and guidance
- ◆ Consistent use and understanding of language
- ◆ Better experiences and increased confidence in services
- ◆ Holistic approach to achieve outcomes quickly
- ◆ Improved engagement with children and families
- ◆ Empowered families with increased resilience

**CHILDREN AND YOUNG PEOPLE WITH SEND HAVE THE SAME RIGHTS AND CHOICES AS ALL OTHER CHILDREN IN SOMERSET**



**'Somerset's vision is for children, young people and their families to be:**

***"Happy, Healthy and Preparing for Adulthood"***

**Our vision has been strongly shaped by young people themselves. We asked them about their hopes for the future and how they can be supported to thrive in Somerset.**

**They told us that they want to grow up in loving families and caring communities with well supported and supportive parents, families, friends, schools and the wider community.**

**Our young people also reminded us to think of their safety and security, the accessibility of services and how to support the more vulnerable because of individual, environmental, social or economic factors. By recognising the crucial interaction between these outcomes, we will work together to improve the lives of all children and young people'.**

(Somerset's Plan for Children, Young People and Families 2019-2022)

## **SEND VISION**

**We want every child and person to have the greatest possible opportunity to be the best they can be, to be happy and have choice and control over their life.** (SEND Strategy 2016 -2019)



## **INTRODUCTION TO THE GUIDANCE**

Early help and SEND support is **EVERYONE'S RESPONSIBILITY**; We want Children, Families, Communities, and Partner Agencies to work together so that families can help themselves and be supported as soon as a need arises.

This is a guide for everyone who works with, supports, or are involved with, Children, Young People with additional learning needs or special educational needs and/or disability (SEND) and their families. It provides advice and guidance as part of Somerset's graduated response for children and young people with additional learning needs or SEND.

# Right Support, Right Place, Right Time

*The majority of Children and Young People with identified SEND will have their needs met successfully with universal and targeted support at SEND Support.<sup>1</sup>*

A child centred approach means keeping the child at the centre when making decisions about their lives and working in partnership with them and their families, which includes keeping them safe.

Children and their families may need both SEND support and safeguarding support. In these situations practitioners should consult this document and the [Effective Support for Children and Families in Somerset](#) documents which provide advice and guidance about early help and safeguarding for children and young people, and for families.



<sup>1</sup> Special Educational Needs & Disability Code of Practice 2015, Chapters 5 (Early Years); Chapter 6 (Schools) & Chapter 7 (Further Education)



## WHAT IS THE DEFINITION OF SPECIAL EDUCATIONAL NEEDS?

A child or young person has SEND if they have a learning difficulty or disability which calls for **special educational provision** to be made for him or her.

**Children and young people with a disability do not necessarily have special educational needs** (SEND), but there is a significant overlap between children with a disability, and those with SEND. The abbreviation SEND relates to Special Educational Needs and/or Disabilities.

For a child under two years of age, special educational provision means educational provision of any kind.

For children aged two or more, special educational provision is educational or training provision that is additional to or different from that made generally for other children or young people of the same age by mainstream schools, maintained nursery schools, mainstream post-16 institutions or by relevant early years providers.

A child of compulsory school age or a young person over the age of 16 and up to the age of 25 has a learning difficulty or disability if he or she:

- Has a significantly greater difficulty in learning than the majority of others the same age, **or**
- Has a disability which prevents or hinders him/her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions <sup>2</sup>

A person has a disability if they have a physical or mental impairment, which has a substantial and long-term adverse effect on their ability to carry out normal day to day activities. The Equality Act 2010 definition includes the impact of sensory impairments or long-term health conditions such as asthma or epilepsy.

## MEETING NEEDS


**ALL professionals and services working with children have a legal duty to work together to ensure that the education, health and care needs of children and young people with SEND are identified and met.**

The following principles are set out in the [Special Educational Needs and Disabilities Code of Practice 2015](#):

- The participation of children, their parents and young people in decision-making
- The early identification of children and young people's needs and early intervention to support them
- Greater choice and control for young people and parents over support
- Collaboration between education, health and social care services to provide support

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<sup>2</sup> Children & Families Act 2014, Part 3

- 
- ↘ High quality provision to meet the needs of children and young people with SEND
  - ↘ A focus on inclusive practice and removing barriers to learning
  - ↘ Successful preparation for adulthood, including independent living and employment

**EARLY HELP** - means providing support as soon as a problem emerges, at any point in a child's life, from the foundation years through to the teenage years. All education, health and care professionals working with children and families should, in particular, be alert to the potential need for early help for a child who:

- ↘ Is disabled and has specific additional needs
- ↘ Has special educational needs (whether or not they have a Education, Health and Care Plan)

**HEALTH PROFESSIONALS** - have a legal duty (Section 23 of the Children and Families Act 2014) to tell the local authority if they believe a child under school age has, or is likely to have, special educational needs or a disability (SEND).

They must in the first instance:

- ↘ Inform parents that they believe their child has (or is likely to have) SEND
- ↘ Arrange for parents to discuss this opinion with appropriate health professionals
- ↘ Inform parents that they have a duty to notify their child to the local authority
- ↘ Advise parents of organisations that may be able to support them in relation to their child's SEND

[The Equality Act 2010](#) makes clear the legal duties in meeting the needs of Children & Young people with SEND for all providers. In particular, they **MUST NOT** discriminate against, harass or victimise disabled children. They **MUST** make **reasonable adjustments to try to ensure that children and young people with SEND can access the same education, health and care opportunities as their peers.**

Parents and others caring for children with SEND are entitled to be assessed for support by Education, Health and Care providers and practitioners.



## LOCAL OFFER

Every Local Authority **MUST** publish a [Local Offer](#) setting out in one place information about the provision they expect to be available across education, health and social care for children and young people in their area who have SEND, including those who do not have EHC plans.



# PARENTS - INDEPENDENT ADVICE, SUPPORT AND GUIDANCE

Parents /carers and young people in Somerset have access to independent advice and support. This is free of charge to families and is provided by [SENDIAS \(Special Educational Needs and Disability \(SEND\) Information, Advice and Support\)](#).

SENDIAS can provide support to parents where they are concerned that the education provision is not meeting their child's special education needs.







# **SECTION 1**

Early Help, SEND  
Support and the  
Graduated Response



# SEND SUPPORT

- 1 The majority of children and young people with identified SEND will have their needs met successfully through universal provision and targeted support (known as SEND Support).
- 2 Quality First teaching that is differentiated and personalised will meet the individual needs of the majority of children and young people. Some children and young people will need educational provision that is **additional to or different from** this. This is called special educational provision.
- 3 In identifying a child that may have Special Educational Needs, the early years practitioner or class teacher, working with the setting's SENCO, the child's parent/carer, and where relevant health and/or social care colleagues will assess the child's needs. These needs should be reviewed regularly to ensure the appropriate support is in place. This should form a four-part cycle (**Assess, Plan, Do, Review**) **set out on page 12**, through which earlier decisions and actions are revisited, refined and revised with a growing understanding of the child's needs and the most effective strategies to support the child in making good progress to achieve their potential.
- 4 When a pupil is identified as having SEND, settings should take action to remove barriers to learning by making **reasonable adjustments** and by putting effective special educational provision in place. This is called **SEND SUPPORT** and this forms part of the **GRADUATED RESPONSE**. [Special Educational Needs and Disability Code of Practice 5:39-5:46 & 6:45 – 6:56](#)
- 5 Within Somerset we take a systemic approach to identifying Early Help and SEND support for children, young people and their families. The **EARLY HELP ASSESSMENT** (EHA) has been devised with education, health and care professionals to ensure that children and young people in Somerset receive the right support, in the right place, at the right time. The single assessment process, (EHA), is the tool to use to identify need and plan help for the child, young person and family.

For more information about the Early Help Assessment please refer to [The Somerset Early Help and SEND Support Practitioner Guidance](#).

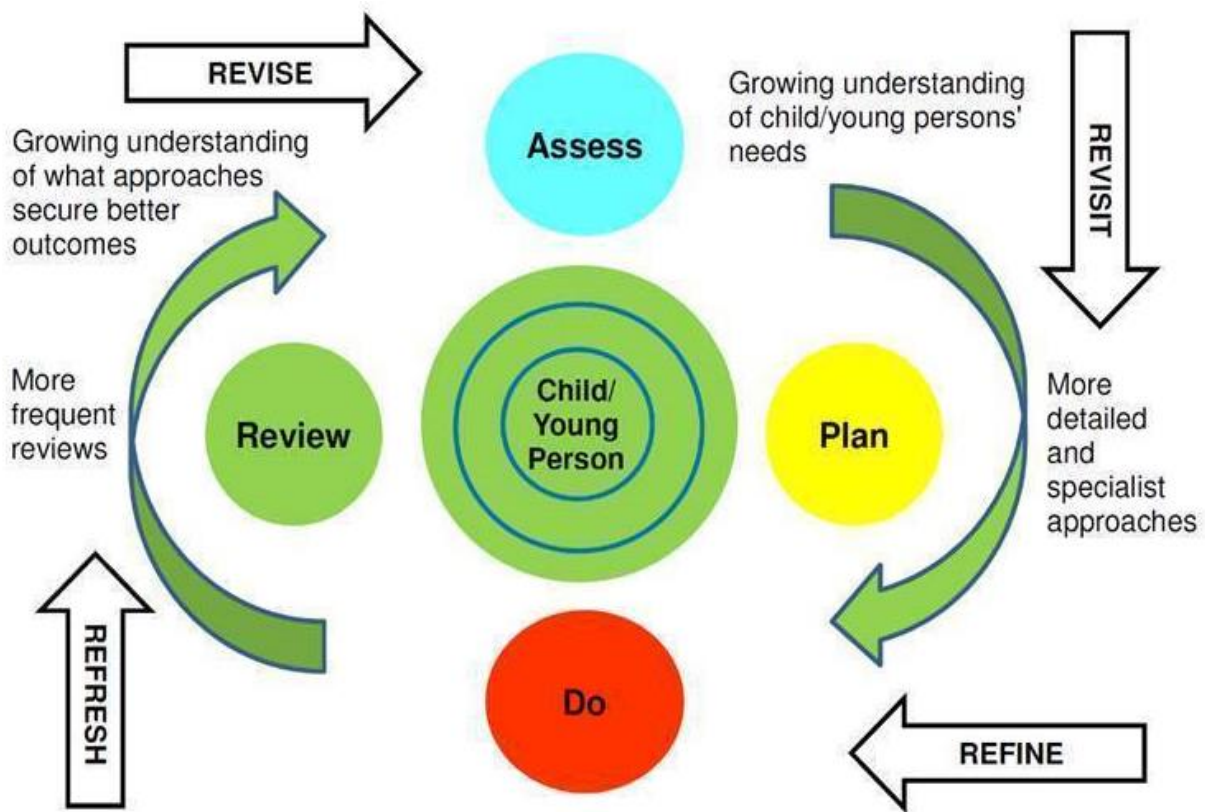
- 6 When considering a child or young person's Special Educational Needs these are described as one of four categories known as the 'primary need'. These are:
  - **Communication & Interaction** – this describes children and young people with speech, language & communication needs (SCLN) who have difficulties in communicating with others. Children and young people with Autistic Spectrum Disorder would have their primary need described as Communication & Interaction.
  - **Cognition & Learning** – this area of need encompasses Moderate Learning Difficulties (MLD); Severe Learning Difficulties (SLD) and Profound and Multiple Learning Difficulties (PMLD); and Specific Learning Difficulties (SPLD).



- **Social, Emotional and Mental Health Difficulties** – this describes children and young people who may experience a wide range of social and emotional difficulties which may be seen in various ways from - for example - isolated and withdrawn to violent behaviours. The behaviours may reflect an underlying mental health difficulty which can present in various different ways. Examples could be self-harming, depression, going missing or substance misuse.
- **Sensory and/or Physical Needs** – this area describes those children and young people who may require specialist provision because they have a disability which prevents or hinders their access to facilities generally available to most other children. Children and young people with a visual impairment (VI); hearing impairment (HI) or multi-sensory impairment (MSI) are within this category of need.



# THE FOUR-PART CYCLE



## ASSESS:

Identifying a child/young person as needing SEND support, drawing on assessments and the individual development in comparison to their peers.

## PLAN:

Appropriate support and intervention provided to meet the identified outcomes for the child/young person.

## DO:

Multi-agency practitioners are responsible for implementing the agreed plan.

## REVIEW:

Regular review of the effectiveness of support and interventions and their impact on the child/young person's progress.

**This is a cycle of support which continues until the needs of the child/young person are met. This process should be transparent and in coproduction with the child/young person and their parents/carers.**

# UNDERSTANDING THE LEVELS OF NEED

Early Help, SEND support and the Graduated Response





## GRADUATED RESPONSE – HEALTH

In line with the [NHS Mandate](#), health services must be commissioned to be ‘*free at the point of care*’. The Somerset Clinical Commissioning Group (CCG) commissions from a variety of providers based on local population needs, best practice guidance, and Department for Health directives. Key services, available to all based on needs are:

- Primary care by GPs
  - GP Surgeries provide general frontline medical services and often include a variety of professionals such as GP, Nurse, Paramedic, Counsellor. GPs can also refer to specialist community or acute services if they are not able to meet a person’s needs.
- Community Services in people’s homes or other community settings
  - These might include therapies, mental health services and community nursing
- Acute hospital services
  - Including outpatient clinics, inpatient wards emergency department, diagnostics (scans etc.)
- Urgent care services (111 and 999)
  - Dial 999 for life threatening emergencies
  - Dial 111 for urgent medical advice
- Children’s Complex Care - for children and young people with significant assessed needs requiring ongoing NHS support from services/placements or through provision of Personal Health Budgets

Highly specialised health services are mainly commissioned by NHS England and are often provided regionally in centres of excellence.

Some health services are commissioned and provided by the Local Authority’s Public Health team, these include:

- Public Health Nursing (Health Visitors & School Nurses)
- Sexual health services
- Drugs and alcohol services
- Healthy Lifestyle services
- Domestic abuse support services

Health and wellbeing support must be child or young person centred and take account of their family and environment. Health partners have a duty to provide information held by them to the local authority and partners which would contribute to an Early Help Assessment and/or full assessment of needs for an Education Health and Care Plan. Health professionals should be part of multiagency discussions such as Team around the Child/Family (TAC/F).

Please refer to the [Effective Support for Children and Families in Somerset guidance](#) for indicators of need relating to health issues.

## GRADUATED RESPONSE – CHILDREN’S SOCIAL CARE

Children and young people who have a disability are entitled to an assessment of their needs. In children’s social care in Somerset we are committed to ensuring that children and young people with disabilities are seen as children first. We want to ensure that our children and families receive **The Right Support In The Right Place At The Right Time.**

The table below provides information about how professionals can identify support that will address assessed need and gives an indication of the types of services that may be available, but it is not exhaustive and should only be used for guidance.

The table is formatted so that the lowest level of need (and the corresponding support available) is detailed at the top of the table with the greatest level of need and possible services available at the bottom.

The first column details the level of need through identification of factors in the child's life such as sleepless nights, the complexity of care needs etc.

The second column details the range of possible services available to meet the assessed needs such as Direct Payments or Community Inclusion & Activity Team. Whilst services are named within this column, please bear in mind the following:

- **Universal Services** refers to those services which are deemed open to all (dependent on availability of places) and do not require referral by a social worker or any other professional.
- **Voluntary/community groups** are organisations that are not run by the Council.

There is an overview of the specific services available on Somerset’s Local Offer on the Somerset Choices website at <https://www.somersetchoices.org.uk>

NB: Access to hospices has not been included within this table although access to hospice care is available via the NHS where assessed as required.



# GENERAL SOCIAL CARE GUIDANCE

<b>Universal</b> All Children	<b>SEND Support</b> Some Children	<b>High Needs - Complex</b> Few Children
<p>See <a href="#">Effective Support for Children and Families document</a></p> <p>Child has low level needs that have little impact on daily life. The family feel well supported in their caring role. The child and family feel well supported and able to meet the child's educational, health and care needs independently.</p> <p><b>No assessment is needed.</b></p> <p><b>Potential support services available:</b></p> <ul style="list-style-type: none"> <li>• Community Resources</li> <li>• School</li> <li>• GP and Health Visitor</li> <li>• Youth Centres</li> <li>• Children's Centres</li> <li>• Citizens Advice</li> <li>• Housing</li> <li>• Community Inclusion &amp; Activity Team Publications</li> <li>• Voluntary or Community Groups</li> </ul>	<p>See <a href="#">Effective Support for Children and Families document</a></p> <p>Parents/carers require a break to give:</p> <ul style="list-style-type: none"> <li>• their other dependents their uninterrupted time and attention.</li> <li>• uninterrupted time to themselves.</li> </ul> <p>Parents/carers and siblings require a break or assistance to engage in personal leisure activities/short break that are not appropriate or enjoyable for their disabled child.</p> <p>Parents need help setting up access to leisure activities for their child</p> <p>The disabled child requires:</p> <ul style="list-style-type: none"> <li>• Substantial assistance to spend time with their friends, peer groups/social activities</li> <li>• Substantial assistance to take part in leisure activities.</li> <li>• Help with setting up access to leisure activities.</li> <li>• Assistance developing independence, choice and control in preparation for adulthood.</li> </ul> <p><b>Early Support Record will be carried out by one of the</b></p>	<p>See <a href="#">Effective Support for Children and Families document</a></p> <p>It is assessed that the child and family would benefit from the child having supported social activity independently from their family. Or because parents/carers require a time-limited break [ sessional care] due to their capacity to care being temporarily exhausted.</p> <p>Parents or Carers require additional support due to the substantial demands of caring for their disabled child.</p> <p><b>Early Support Record will be carried out by one of the Children with Disabilities Early Support Teams</b></p> <p><b>Children with high needs requiring support, protection or care will have a Children and Families Assessment carried out by a Social Worker</b></p> <p>At the complex level possible circumstances are: Education, health and/or social difficulties related to the child's disability means</p>



## Children with Disabilities Early Support Teams

### **Potential services available:**

Universal support (Column 1)  
plus:

- Somerset Supporters Service
- Signposting to services by the Community Inclusion & Activity Team
- Inclusive play schemes
- Parenting advice and support
- Equipment and or housing adaptation (via the Occupational Therapy service)
- Personal budgets (in the form of Direct payments)

that the family are at risk of not being able to continue to provide care at home.

This could include:

- Disturbed nights
- Persistent challenging behaviour
- Supervision of the child's complex health care needs
- Complex manual handling tasks

Child has complex needs requiring co-ordination of multi-agency support in relation to their educational, health and care needs now and as they prepare for adulthood.

- Disturbed nights
- Persistent challenging behaviour
- Supervision of the child's complex health care needs
- Complex manual handling tasks

### **Potential services available:**

Universal and SEND support (Columns 1&2) plus:

- Sessional care provided under the Chronically Sick and Disabled Persons Act 1970
- Community Inclusion & Activity Team
- Advice guidance and support with parenting needs
- Short breaks service including overnight care provided under s17 of the Children Act 1989



- Individualised packages of support jointly funded by CSC health and education, set out in a Child in Need or EHC plan

## High Needs - Acute

Few Children

See [Effective Support for Children and Families document](#)

Child is/ or may be at risk of significant harm if they remain in their parents or carers care and requires a child in need assessment and support.

Child is assessed as having suffered significant harm requiring a multi-agency child protection plan to safeguard them.

**Children and Family Assessment carried out by a Social Worker.**



# GRADUATED RESPONSE – EDUCATION

## Early Years (0-5 years old)

The [SEND Code of Practice](#) outlines the need for Early Years providers to have arrangements in place to support children with SEND or disabilities, which should include a clear approach to identifying and responding to SEND.

The importance of **early identification** of children’s needs is recognised so that appropriate provision can be put in place at the earliest opportunity to improve outcomes for children.

All children are entitled to receive **high quality health services and inclusive** education as part of their universal (available for everyone) provision. This is described fully in the [Statutory Framework for the Early Years Foundation Stage](#), and the [Somerset Early Years Core Standards](#). Early Years SENCO’s provide information, advice and guidance to Early Years settings.


In Somerset there is a [“Multi Agency Identification and Support in the Early Years”](#) (MAISEY) forum where Education, Health and Social Care work together to improve outcomes for children and young people.

The Statutory Framework for the Early Years Foundation Stage states that:

*“Practitioners must consider the individual needs, interests, and stage of development of each child in their care and must use this information to plan a challenging and enjoyable experience for each child in all of the areas of learning and development.”* (page 9)

High quality universal provision will meet the needs of the most children.

## GENERAL GUIDANCE



<b>Universal</b> All Children	<b>SEND Support</b> Some Children	<b>High Needs</b> Few Children
Each child develops in their own unique way; however, certain needs and milestones are relevant to all:	<b>Column 1 plus:</b> Where little or no progress is made against child development milestones and/ or the integrated education, care and health review at 2 years old highlights	<b>Column 1 &amp; 2 plus:</b> Provision for children with complex or acute needs will be highly specialised and personalised and, in many cases, coordinated through MAISEY (Multi



- High aspirations and expectations for all children are realistic and are set in partnership with children and their parents/carers.
- **Reasonable adjustments** are made to enable the curriculum to engage **ALL** children. **Every Early Years Practitioner is a teacher of every child** and is responsible for appropriate differentiation.
- The environment and curriculum reflect the needs of the learners, is accessible and engages all learners.

developmental concerns, this may indicate that a child has SEND.

A graduated approach is used to offer support at this "SEND Support" level. This provides children with support that is **additional to and different from** the universal provision offered to all children.

- Additional education, and/or health and/or care provision is agreed, monitored and reviewed in partnership with parent/carers and children.
- Early Years practitioners implement individual planning, ensuring they are following the "Assess, Plan, Do, Review" graduated approach.
- If there is little or no progress after multiple cycles of Assess, Plan, Do, Review, it is recommended to complete an Early Help Assessment (EHA) with the child's parents. This document can be used to identify the best way forward at the earliest opportunity and/ or can be used to request support from specialist services as appropriate.
- The SENCO in each Early Years setting will oversee the provision for children at SEND Support, working closely with the child's health visitor, other key professionals and parents. Advice can be sought from the Early Years Area SENCO service as appropriate.

Agency Identification and Support in Early Years).

Support for these children will include, but will not be limited to:

- a multi-professional, coordinated approach to supporting the child's special educational needs often involving education, health and care services
- clearly detailed outcomes for the individual child alongside strategies and resources designed to support the achievement of these outcomes
- families are involved in target-setting and decision-making, incorporating the child's voice wherever possible
- formal transition planning and review processes are in place.

A request for an Education, Health and Care (EHC) Assessment may be considered for these children.



# GRADUATED RESPONSE

## Schools (5-16 years old)

The [SEND Code of Practice](#) outlines the need for Schools to have arrangements in place to support children with SEND or disabilities, which should include a clear approach to identifying and responding to SEND.

The importance of **early identification** of children’s needs is recognised so that appropriate provision can be put in place at the earliest opportunity to improve outcomes for children.

Schools should offer an **inclusive approach to learning and teaching**, with high quality teaching which is differentiated for individuals. This approach should be embedded in their provision in all subject areas and at all levels, and support the teaching of all students, including those with SEND

High quality universal provision will meet the needs of the majority of children.

## GENERAL GUIDANCE



<b>Universal</b> All Children	<b>SEND Support</b> Some Children	<b>High Needs</b> Few Children
<p>Each child develops in their own unique way; however, certain needs and milestones are relevant to all:</p> <ul style="list-style-type: none"> <li>➤ <b>Every teacher is a teacher of every child and young person</b> and is responsible for appropriate differentiation through high quality, quality first teaching.</li> <li>➤ High aspirations and expectations for all children and young people are realistic and are set in partnership</li> </ul>	<p><b>Column 1 plus:</b></p> <ul style="list-style-type: none"> <li>➤ Additional assessment / information gathered by key staff to inform next steps.</li> <li>➤ Additional approaches in place which complement the teaching offered at whole class level.</li> <li>➤ An outcome led plan to be developed, agreed and reviewed with child, young person and parents / carers.</li> <li>➤ The setting to make use of evidence-based specialist resources and professional expertise to</li> </ul>	<p><b>Column 1 &amp; 2 plus:</b></p> <p>Provision for children with complex or acute needs will be highly specialist and personalised and, in many cases, coordinated through SENCO networks.</p> <p>Support for these children will include, but will not be limited to:</p> <ul style="list-style-type: none"> <li>➤ a multi-professional, coordinated approach to supporting the child’s special educational needs often</li> </ul>



with children, young people and their parents / carers.

- ↘ Children and young people's progress is tracked and reviewed throughout the year.
- ↘ Clear processes are in place to identify children and young people's strengths and needs.
- ↘ **Reasonable adjustments** are made to enable the curriculum to engage **ALL** children and young people.

inform additional provision. This could include external specialist advice.

involving education, health and care services

- ↘ clearly detailed outcomes for the individual child alongside strategies and resources designed to support the achievement of these outcomes
- ↘ families are involved in target-setting and decision-making, incorporating the child's voice wherever possible
- ↘ formal transition planning and review processes are in place.

A request for an EHC Assessment may be considered for these children.



# GRADUATED RESPONSE

## Post 16 Provision (16-25 years old)

**Post 16 providers have the duty to use their best endeavours to secure the special educational provision that the young person needs.** ([SEND Code of Practice](#))

This duty applies to further education colleges, sixth form colleges and 16-19 academies. Its purpose is to ensure that providers give the right support to their students with SEND.

The post-16 education and training landscape is very diverse. It encompasses school sixth forms (both mainstream and special schools), sixth form colleges, general further education (FE) colleges, 16-19 academies, special post-16 institutions, and vocational learning and training providers in the private or voluntary sector. The range of available study programmes is broad and includes AS/A-levels, vocational qualifications at all levels, apprenticeships, traineeships, supported internships and bespoke packages of learning.

Colleges should offer an **inclusive approach to learning and teaching**, with high quality teaching which is differentiated for individuals. This approach should be embedded in their provision in all subject areas and at all levels, and support the teaching of all students, including those with SEND. ([SEND Code of Practice](#), 7:1-7:35)

## GENERAL GUIDANCE



<b>Universal</b> All Children	<b>SEND Support</b> Some Children	<b>High Needs</b> Few Children
<ul style="list-style-type: none"> <li>➤ All young people have the opportunity to be happy, safe and lead fulfilling adult lives</li> <li>➤ Clear admissions processes are in place which involve interviews and assessments to identify the young person's strengths and impact of needs in a new setting.</li> <li>➤ Access to appropriate information, advice and guidance regarding</li> </ul>	<p><b>Column 1 plus:</b></p> <ul style="list-style-type: none"> <li>➤ Additional approaches are in place which complement the teaching offered at whole class level.</li> <li>➤ Additional assessment / information is gathered by key staff to inform next steps.</li> </ul>	<p><b>Column 1 &amp; 2 plus:</b></p> <p>Provision for young people with high needs will be highly specialised and personalised and, in many cases, coordinated through the SENCO.</p> <p>Support for these young people will include, but will not be limited to:</p>



progression and independence

- Access to employment advice and opportunities
- Access to advice on healthy living and well being
- Reasonable adjustments are made to enable the study programme to engage ALL the young people.
- Every Lecturer is a Lecturer of every Young Person and is responsible for appropriate differentiation.
- The young person's progress is tracked and reviewed throughout the year in line with assessment policy.

- An outcome led plan is developed, agreed and reviewed with the young person and others as appropriate.
- The setting makes use of evidence-based specialist resources and professional expertise to inform additional / different / alternative provision.
- This could include external specialist advice from Health, Care and/or education services.
- Enhanced transition maybe needed for young people with additional learning needs and/ or SEND support person.

- a multi-professional, coordinated approach to supporting the young person's special educational needs often involving education, health and care services
- clearly detailed outcomes for the individual young person alongside strategies and resources designed to support the achievement of these outcomes
- young people are involved in target-setting and decision-making
- formal transition planning and review processes are in place.

A request for an Education, Health and Care (EHC) assessment may be considered for these young people.

Some young people will have an Education, Health and Care plan.





## COLLEGES AND POST- 16 INSTITUTIONS

All post-16 students with additional or special educational needs or disabilities who attend Post-16 education have a minimum entitlement to provision that is ordinarily available, whichever school or college they attend. Under the SEND Code of Practice (0-25), further education colleges and other Post-16 Institutions have the following duties that they must follow:

- to co-operate with the local authority on arrangements for young people with SEND
- to offer a place to a young person if the institution is named in an educational health and care (EHC) plan
- to have regard to the SEND code of practice
- to do everything they can to secure the special educational provision that the young person needs

As well as this, there are the following duties under the 2010 equality act:

- colleges and institutions must not discriminate against, harass or victimise young people who are disabled
- they must make reasonable adjustments to prevent young people being placed at a significant disadvantage
- they must prevent discrimination, promote equal opportunities and good relationships



## ORDINARILY AVAILABLE FOR POST 16 LEARNERS

Colleges and other post-16 providers have their own arrangements in place for meeting the needs of young people with SEND, but a range of provision should be available at an appropriate level to meet the young person's needs. This includes:

- a college must do its best to put appropriate support in place (SEND Code of Practice: 0 to 25 years, 2014)
- young people should be supported to participate in discussions about their aspirations, their needs and the support that they think will help them best
- support should be aimed at promoting student independence and enabling the young person to make good progress towards employment and/or higher education, independent living, good health and participating in the community
- support should be evidence based
- colleges should be aware of effective practice in the sector and elsewhere, and personalise it for the individual
- they should keep the needs of the students with SEND under regular review
- for many learners, their needs will be met out of the institution's own SEND Support sometimes known as Additional Learning Support, as part of its approach to meeting those needs. Details should be published on college websites. For those with more complex needs, provision will be set out in an Educational and Health Care Plan.



## THE GRADUATED RESPONSE WITHIN POST 16 PROVISION

Where a student has a learning difficulty or disability that calls for special educational provision, the college must discuss with students the type of appropriate support to put in place for them.

Colleges should take the "Assess, Plan, Do Review" cyclical approach to assessing need, planning and providing support. They should involve the student closely at all stages of the cycle and they should ensure that staff have the skills to do this effectively.

Special educational support might include, for example:

- ✚ assistive technology
- ✚ personal care (or access to it)
- ✚ specialist tuition
- ✚ note-takers
- ✚ interpreters
- ✚ one-to-one and small group learning support
- ✚ travel training
- ✚ accessible information such as symbol-based materials
- ✚ access to therapies (e.g. speech and language therapy)

Specialist help should be involved where the student's needs are not being met by the setting, and if they still are not progressing with the support being provided the young person can be considered for an assessment for an EHC plan.

Where a young person is aged over 18 consideration must be given to whether or not the young person requires additional time (in comparison to the majority of others of the same age who do not have SEND) to complete their education or training.



## FUNDING FOR SEND SUPPORT POST 16

All mainstream colleges are provided with resources to support students with additional needs, including young people with SEND and disabilities. School and academy sixth forms, sixth form colleges, further education colleges and 16-19 academies receive an allocation based on a national funding formula for their core provision.

Colleges have additional funding for students with additional needs, including those with SEND. This funding is not ring-fenced and is included in their main allocation in a 'single line' budget. Colleges are expected to provide appropriate, high quality SEND support using all available resources.



## FURTHER EDUCATION AND PREPARING FOR ADULTHOOD (16-25)

### PREPARING FOR ADULTHOOD – CHOICES FOR LIFE

The SEND Code of Practice (2015) states that:

*'Being supported towards greater independence and employability can be life-transforming for children and young people with SEND. This support needs to start early and should centre around the child or young person's own aspirations, interests and needs. All professionals working with them should share high aspirations and have a good understanding of what support is effective in enabling children and young people to achieve their ambitions.'*

Preparing for adulthood means preparing for:

- Higher education and/or employment – this includes exploring different employment options, such as support for becoming self-employed and help from supported employment agencies.
- Independent living – this means young people having choice, control and freedom over their lives and the support they have, their accommodation and living arrangements, including supported living.
- Participating in society, including having friends and supportive relationships, and participating in, and contributing to, the local community.
- Being as healthy as possible in adult life.

**Young people in Somerset have co-produced our approach to Preparing for Adulthood they felt clear that** young people should be supported **make their own decisions** and **think about the future**. To find out more about the Somerset Approach to Preparing for Adulthood please click on the links below that will take you to the Local Offer:

- How can I [choose my next school or college?](#)
- How can I [find and keep a job?](#)
- How can I [live more independently?](#)
- How can I [find things to do in my spare time?](#)
- How can I [stay safe and healthy?](#)



# MAINSTREAM EDUCATIONAL PROVISIONS – WORKING GUIDELINES FOR ACCESSING SEND SUPPORT 2019-2020

## CONTEXT

Currently there are several partnership forums and services providing mainstream educational provisions access to additional support and advice for children and young people (CYP) with additional learning needs (ALN) and/or SEND across Somerset. As part of the newly emerging strategic approach to supporting school to school and sector led improvement and a strengthening commitment to best inclusive practice through the Local First approach, partners have been working collaboratively to identify opportunities for a whole system approach.

These working guidelines are for use by these practitioners, professionals and provisions in determining which partnership forum or service may initially be the most effective one to support the children and young people they are concerned about.

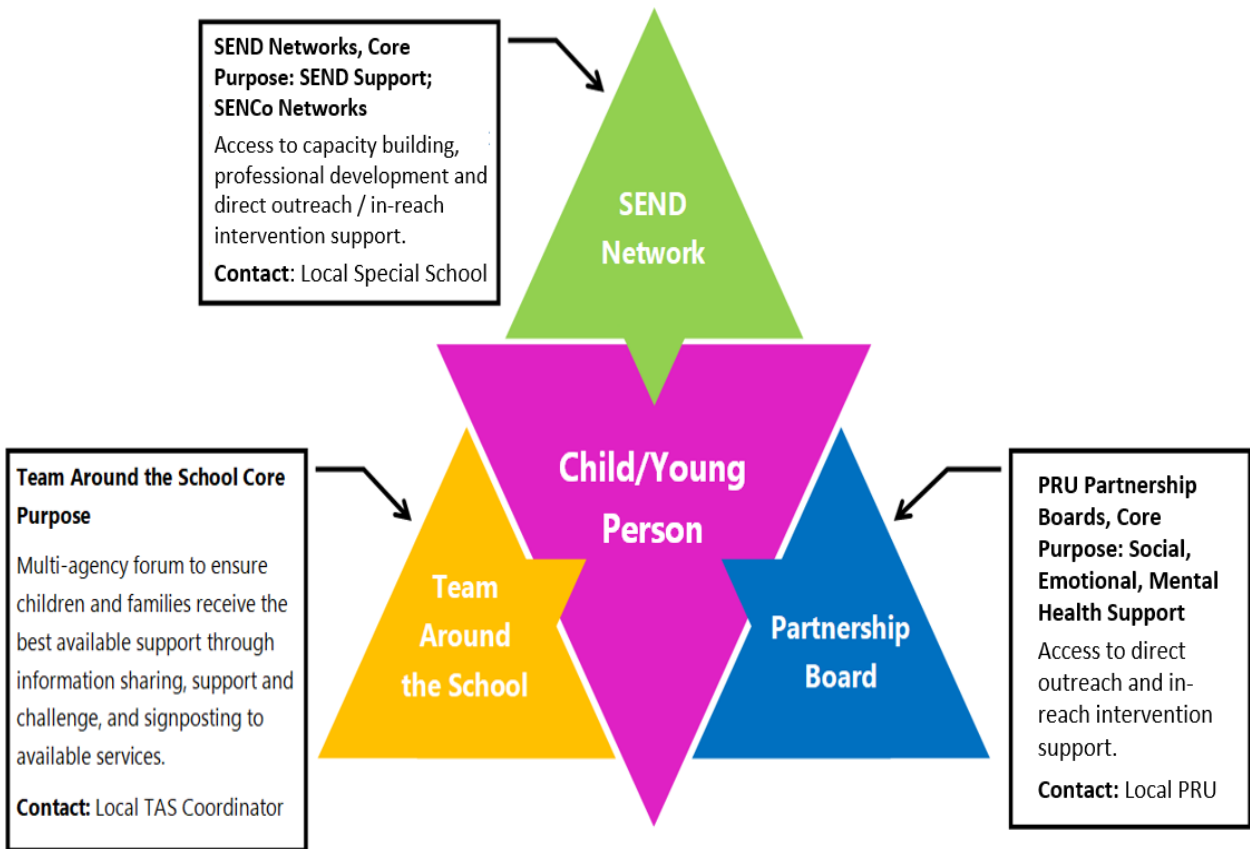
## PRINCIPLES

- Support is based upon a collaborative approach with school to school and professional to professional partnership.
- Partnership/Collaboration and permission from parents/carers and young people is integral to all processes
- Support is focused on capacity building in mainstream provision.
- Support is to promote and enable a learning culture.
- Each Sector Led Improvement forum (TAS/Partnership Board/SENCo Forum) has a primary purpose.

## AIMS

- Increased early help/SEND support in mainstream and specialist provisions.
- Support local mainstream and special schools to maintain successful placements for children and young people with SEND.
- Promote and encourage inclusive practice in local mainstream and special schools.
- Mainstream schools will be confident about which forum to refer to for each child, young person and family.
- Each forum (TAS/SENCo Network/Partnership board) in a local area will complement the other.

# CORE PURPOSE OF SCHOOL SECTOR LED FORUMS





# SECTION 2

## Statutory Assessment Processes



# EDUCATION, HEALTH AND CARE NEEDS ASSESSMENT

## Introduction

The majority of children and young people with SEND and disabilities will have their needs met by their local mainstream early years setting, school or college. However, for those with complex needs that cannot be met by the support put in place by their early years setting, school or college, an EHC Needs Assessment may be required to determine if an Education, Health and Care plan is required. The following information is for guidance only, all decisions regarding statutory assessments are considered individually.

## EDUCATION, HEALTH AND CARE NEEDS ASSESSMENT

An Education, Health and Care Needs Assessment may be required for children and young people with SEND aged 0 to 25 years if the following apply:

The child or young person:

- Has severe and/or complex long- term needs
- Requires provision and resources which are above those ordinarily available in their educational setting
- Requires intensive and longer- term help and support from more than one agency
- Is making limited or no educational progress despite evidence of high levels of support and purposeful interventions

There should be evidence that a graduated response has already been put in place by the school or setting.

Somerset County Council would expect to see clear evidence of the graduated response with appropriate assessment including an [Early Help Assessment \(EHA\)](#), [Team Around the Child/Family \(TAC/F\) Plan and Review Form](#), SEND Support which demonstrates the interventions including support and resources that have been provided to support the child/young person at SEND Support through the [Core Standards](#). Further evidence of expert advice should also be included where appropriate and within 12 months of the date of the request.

The Local Authority will apply the two-part legal test as outlined below:

**The local authority must secure an EHC needs assessment for the child or young person if, after having regard to any views expressed and evidence submitted under subsection 7 the authority is of the opinion that:**

- The child or young person has or may have special educational needs, and
- It may be necessary for special educational provision to be made for the child or young person in accordance with an EHC plan (Children and Families Act 2014, section 36)

## HOW TO REQUEST AN EHC NEEDS ASSESSMENT

Requests will be accepted from settings, Schools, Colleges, parents, young people who are over the age of 16 (or an advocate acting on their behalf) and professionals involved with the child or young person.

On receipt of a request the Statutory SEND Team will contact the referrer, school, parent or young person to acknowledge receipt of the referral and request relevant information.

The Statutory SEND Team will then contact other professionals identified as being involved to inform them of the request.

When all the information has been gathered, a decision whether to carry out an EHC Needs Assessment will be made. This decision will be made by the Local Authority following discussion with the Statutory SEND Panel and in line with the legal test. The Local Authority must decide and communicate the decision to the child's parent or the young person within 6 weeks of receiving the request.

All decisions regarding Statutory Assessments are considered on their own merits and with regard to the legal test outlined above.







## EDUCATION, HEALTH & CARE ASSESSMENT

### DECISION TO PROCEED

If the decision is made to begin an EHC Needs Assessment, the Statutory SEND team will:

- Tell the parents/carers and young person (where appropriate) of the decision by telephone where possible, and confirm by letter
- Inform the person who originally completed the referral for an EHC assessment
- Write to the professionals involved, informing them of the decision and requesting formal advice as part of assessment process

### DECISION NOT TO PROCEED

If it is decided that it is not appropriate to proceed with an EHC Needs Assessment, the Statutory SEND team will:

Telephone and write to the parents/carers or young person (if appropriate) with a detailed explanation why the decision not to proceed was taken:

- informing them of the decision following the referral
- providing reasons for the decision
- signposting to other sources of support as appropriate
- offering an opportunity for an informal meeting to discuss the decision and
- advising of their rights to Mediation, Disagreement Resolution services and appeal to the First Tier Tribunal

The Statutory SEND team will liaise with the relevant professionals to inform them of the decision and offer step-down guidance where appropriate.



## UNDERTAKING THE EHC NEEDS ASSESSMENT

This stage will need to be completed within six weeks from the date of the 'decision to proceed' with an EHC Needs Assessment.

Children and young people and their parents/carers are equal partners in co-producing the EHC Plan. The child/young person and their family will be asked to tell their story through completion of an "Appendix A" which will be sent by the Statutory SEND Team once the decision to complete a needs assessment has been made.

### PROFESSIONAL REPORTS

At the same time the Appendix A document is being compiled, practitioners from across Education, Health and Care settings will be contacted as appropriate and asked for their specialist advice.



The Statutory SEND team will work with families and young people to make sure that they contact the most appropriate practitioners who will be asked to provide information, answer questions and give advice.

Practitioners will need to recommend outcomes which are clear, specific, quantified and measurable and which are achievable within the resources that are available. A good example of this is an outcome which clearly describes what will be achieved, how it will be achieved, by when and who will be responsible for delivering the outcome. Professionals will share their assessment reports with parents/carers and young people before submitting their advice to the Local Authority as part of the assessment process.

Parents of children and young people under the age of 16 will be invited to attend a meeting with the School and the Educational Psychologist as part of the assessment process, where appropriate.

## **DECISION TO ISSUE AN EHC PLAN**

Once the assessment process has been completed, the Local Authority's Statutory Panel will consider all of the assessment evidence and will make a decision as to whether the child / young person's needs can be effectively met using universal and targeted services (SEND Support) or whether they will require support that is **additional to or different from** that is usually available, and that this will be long term support that requires an Education, Health, Care Plan.

If the decision is not to issue a Plan then parents, young people and professionals will receive information about why and offered the opportunity of a meeting.

If the decision is to issue a plan then parents, young people will receive information from the Statutory SEND Team.

**The child/young person and/or parents should expect to receive a draft and final EHC Plan within the standard timescales.**





# THE EHC PLAN

An EHC assessment focuses on identifying needs and the support that will be required to meet those needs. If it is decided that an Education, Health and Care Plan is going to be issued by the Local Authority, it is required by law to contain certain sections:

**Section A:** the **views, interests and aspirations** of the child and his/her parents or the young person;

**Section B:** the child or young person's **special educational needs ("SEND")**;

**Section C:** **health care needs** which relate to their SEND;

**Section D:** **social care needs** which relate to their SEND or to a disability;

**Section E:** the **outcomes sought** for the child or young person;

**Section F:** the **special educational provision** required to meet their SEND;

**Section G:** any **health care provision** reasonably required by the learning difficulties or disabilities which result in the child or young person having SEND;

**Section H:** any **social care provision** required from social services under the Chronically Sick and Disabled Persons Act 1970, and/or reasonably required by the learning difficulties or disabilities which result in the child or young person having SEND;


**Section I:** the **name of the school or other institution** to be attended by the child or young person, and the type of that institution (or just the type if no specific institution is named);

**Section J:** details of any **direct payment** which will be made;

**Section K:** copies of all the advice and information obtained as part of the EHC needs assessment.

The plan is written based on the evidence provided through the assessment process and:

- All contributors will receive a copy of the draft and final EHC Plan and a copy of all the reports that contributed to the plan- (unless otherwise agreed with an individual, e.g. where a young person wishing to exercise their legitimate right to make their own decisions without reference to parents / carers).
- Once the draft plan has been issued there are 15 days in which the parents/carers/young person can respond to the proposed plan. Professionals contributing to a plan can only request amendments if their advice has been interpreted wrongly
- Once a response is received from the parents/carers/young person the Local Authority will consider the proposed resources that are required to meet the outcomes and provision described in the Plan and at this stage the Local Authority has a duty to consult with parental preference for an educational placement that is to be named in Section I of the plan. It is usual that the majority of children and young people who have been assessed as requiring an Education, Health, Care Plan will remain in their current setting. Settings may make representations to the consultation, but the Local Authority does not have to accept these. Where a setting is named in Section I of the EHCP, that setting then has a legal duty to admit the child or young person.

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- At this stage the EHC Plan is then finalised with the resources required and the level of funding agreed by Education, Health and Social Care, where appropriate, detailed in the plan. All partners should be clear about what is expected of them and should make appropriate plans to deliver the provision detailed in the Plan.
  - Where a family have opted for a Personal Budget, support and advice will be offered about how to achieve the best results from the resources available and how to manage a Direct Payment.
  - Parents/young people will continue to be involved in reviewing and contributing to the implementation and on-going development of the EHC Plan.

## **THE LOCAL AUTHORITY MUST FINALISE THE PLAN WITHIN 20 WEEKS**

The Special Educational Needs and Disability Regulations 2014 sets out specific exemptions to this timeframe and these are:

- A.** Appointments with people from whom the Local Authority has requested information are missed by the child or young person (this only applies to the duty on partners to comply with a request under the EHC needs assessment process within six weeks)
- B.** The child or young person is absent from the area for at least four weeks
- C.** Exceptional personal circumstances affect the child or his/her parents, or the young person
- D.** The educational institution is closed for at least four weeks, which may delay the submission of information from the school or other institution (this does not apply to the duty on partners to comply with a request under the EHC needs assessment process within six weeks)



## **WHAT HAPPENS WHEN YOU DISAGREE WITH THE LOCAL AUTHORITY?**

Parents and young people might be unhappy about the decisions that the Local Authority have made. These can be appealed and resolved through informal meetings or more formal processes known as Disagreement Resolution, Mediation and Tribunals.

The legislation requires Local Authorities to make available to parents and young people a range of dispute resolution services and encourages parents, young people and the Local Authority to engage with such services in order to resolve disputes at an early stage and without redress to Tribunal.

## **DISAGREEMENT RESOLUTION SERVICES**

The arrangements are voluntary and must be with the agreement of both parties. The service, while commissioned by the Local Authority, must be independent of it. In Somerset, the Dispute Resolution Service is available through [SENDIAS \(Special Educational Needs and Disability \(SEND\) Information, Advice and Support\)](#).



These arrangements are different to the Mediation arrangements set out later, which specifically apply to parents and young people who are considering appealing to the Tribunal.

The Disagreement Resolution service is available to help resolve disagreements about two types of complaints or to prevent them from escalating further. The first is between parents or young people and:

- ↘ Local Authorities
- ↘ Governing bodies of maintained schools and maintained nursery schools
- ↘ Early years providers
- ↘ Further education institutions
- ↘ Proprietors of academies about how they carry out their education, health and care duties for children and young people with SEND. For the Local Authority these duties include keeping their education and care provision under review, assessing and drawing up EHC Plans.
- ↘ For governing bodies and proprietors their duty to use their best endeavours to meet children's and young people's Special Educational Needs.

The second is disagreement between parents or young people and early years providers, schools or post-16 institutions about the special educational provision made for a child or young person, whether they have an EHC Plan or not.

Disagreement Resolution meetings are confidential and without prejudice to the Tribunal process.



## MEDIATION

In Somerset the Mediation service is currently provided through [Global Mediation](#).

Parents and young people who wish to make a Special Educational Needs appeal to the HM Courts & Tribunal Service (First-Tier Tribunal SEND) may only do so after they have contacted an independent Mediation Adviser and discussed whether Mediation might be a suitable way of resolving the disagreement.

Mediation aims to settle disagreements more amicably and quickly than the appeal. The Mediation arrangements complement but are distinct from the Disagreement Resolution arrangements explained above.

Engagement with the Mediation and appeal processes does not prevent parents, young people and Local Authorities from making use of the Disagreement Resolution arrangements at the same time if both parties agree.



Local Authorities must set out the arrangements they have made for securing Mediation information services and Mediation itself in the [Somerset Local Offer](#).

## TRIBUNAL APPEALS

[The First-tier Tribunal](#) (Special Educational Needs and Disability) is an independent national tribunal which hears parents' and young people's appeals against LA decisions about the special educational needs of children and young people. It also hears claims of [disability discrimination](#) against schools.

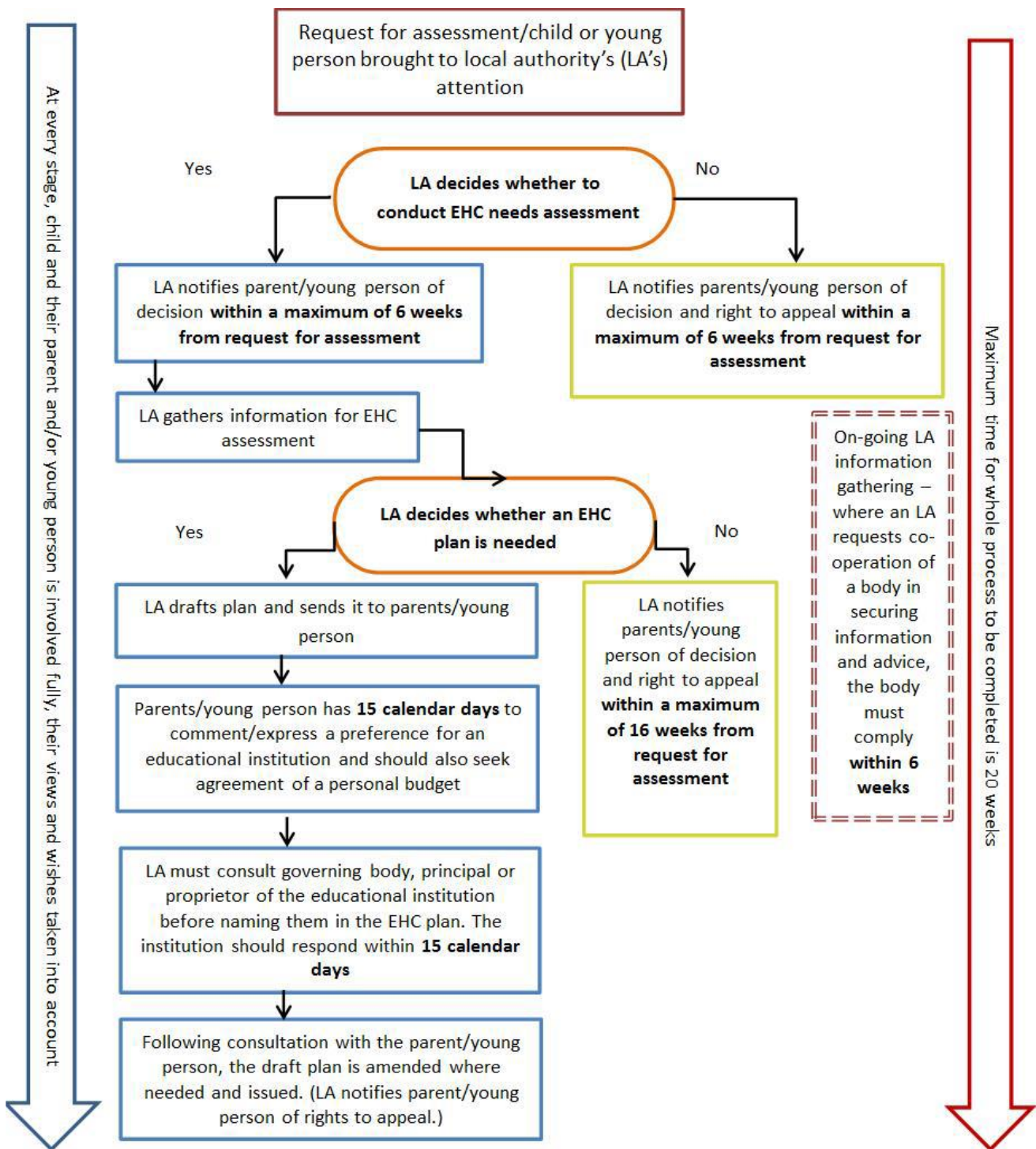
An appeal can be made to the SEND Tribunal if a parent or young person is unhappy with a decision made in relation to an EHC needs assessment or an EHC plan. There are no fees for parents or young people to pay. The SEND Tribunal has the power to order LAs to carry out EHC needs assessments, issue EHC plans, and amend existing EHC plans. LAs must comply with orders made by the SEND Tribunal.

The SEND Tribunal is governed by the law and has to follow the interpretation of that law by higher courts in judgments about previous SEND disputes. The SEND Tribunal must have regard to the [SEND and Disability Code of Practice](#) (the "Code") which advises schools and LAs on identifying and making provision for children with SEND. The SEND Tribunal is not bound to follow the Code to the letter but it generally accepts the Code's guidance in coming to its decisions.

The SEND Tribunal looks at the evidence put before it and decides whether the LA decision followed the law and the Code. It will make a decision based on what is right for the child or young person at the date of the hearing.



# EHC ASSESSMENT PROCESS



# ONCE THE EHC PLAN IS ISSUED

## THE REVIEW

EHC plans must be reviewed at least once a year (every 12 months). The timescales for review are dependent on the circumstances of each child/young person. However, the Local Authority must arrange for a review of every child/young person's EHC Plan at least annually, beginning within 12 months of the date the EHC Plan was finalised and then within 12 months of any previous review. This is delegated by the LA to the appropriate educational setting.

If a child/young person's needs change significantly, a review must be held as soon as possible to ensure the provision specified in the EHC Plan is still appropriate. If an early review is required due to a change in need the setting **MUST** ensure that they are able to evidence the change in need with appropriate professional advice.

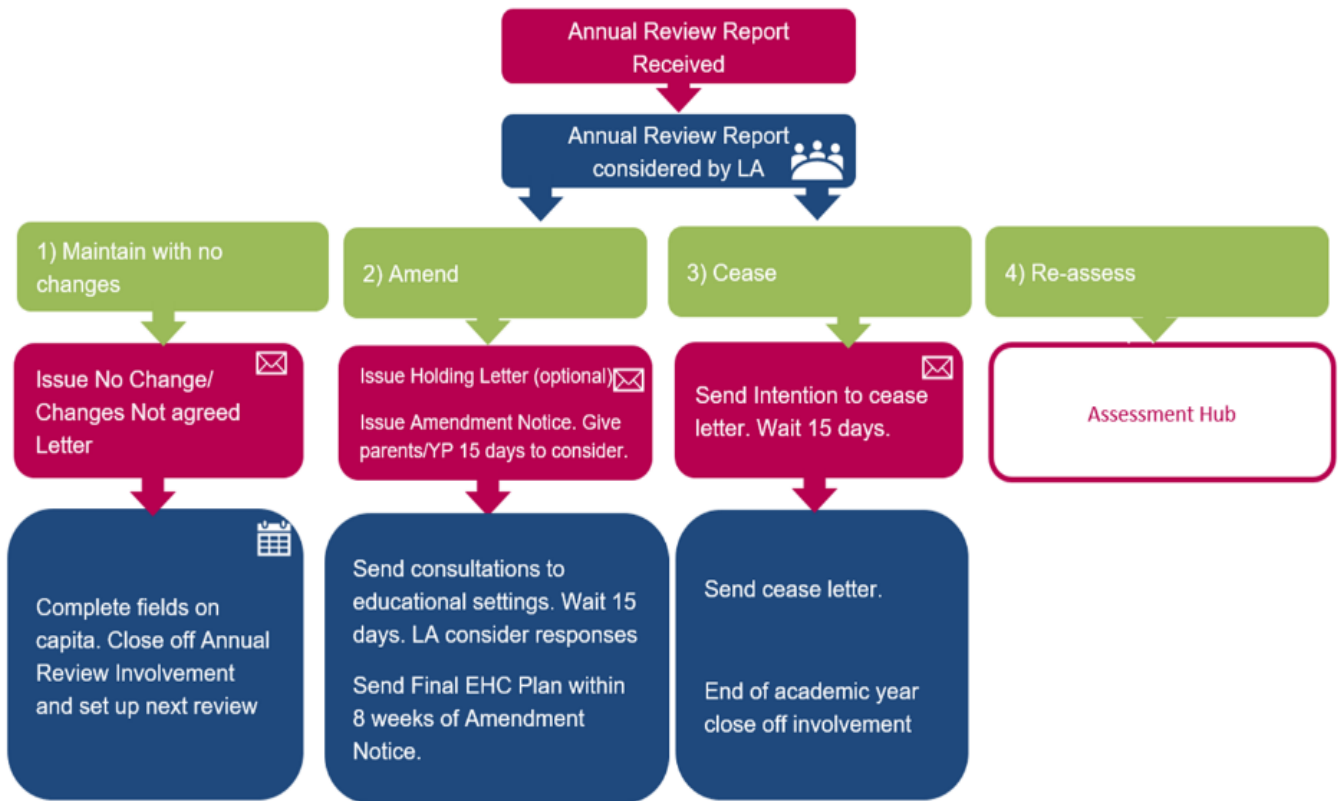
The purpose of the review will be to determine whether the outcomes in the EHC Plan have been met and delivered in an appropriate way. In addition, the review will consider if there is still a need for the Plan to continue and if so, identify any new outcomes.

Detailed guidance on the Annual Review process can be found within the [Code of Practice](#), S9.166 – 9.210.





# Annual Review process





## USEFUL INFORMATION

### SEND Glossary of Terms

#### **Academy:**

A state-funded school in England that is directly funded by the Department for Education, through the Education Funding Agency. Academies are self-governing and independent of local authority control.

#### **Annual Review:**

the review of an EHC plan which the local authority must make as a minimum every 12 months.

#### **Care Plan:**

A record of the health and/or social care services that are being provided to a child or young person to help them manage a disability or health condition. The Plan will be agreed with the child's parent or the young person and may be contained within a patient's medical record or maintained as a separate document. Care Plans are also maintained by local authorities for looked after children – in this instance the Care Plan will contain a Personal Education Plan in addition to the health and social care elements.

#### **Child and Adolescent Mental Health Services (CAMHS):**

These services assess and treat children and young people with emotional, behavioural or mental health difficulties. They range from basic pastoral care, such as identifying mental health problems, to specialist 'Tier 4' CAMHS, which provide in-patient care for those who are severely mentally ill.

#### **Comprehensive Health Assessment Tool (CHAT):**

An assessment tool for young people in the youth justice system. It ensures that young people in the secure estate and in the community receive a comprehensive assessment of their physical and mental health, substance misuse and neuro-disability needs on entry to the system.

#### **Compulsory School Age:**

A child is of compulsory school age from the beginning of the term following their 5th birthday until the last Friday of June in the year in which they become 16, provided that their 16th birthday falls before the start of the next school year.

#### **Disabled Students Allowance (DSA):**

An allowance for undergraduate or postgraduate students who have a disability or long-term health condition, mental health condition or specific learning difficulty such as dyslexia or dyspraxia which affects their ability to study. It can be used to pay for things such as special equipment, a note-taker or transport costs.



### **Disagreement Resolution:**

This is a statutory service commissioned by local authorities to provide a quick and non-adversarial way of resolving disagreements between parents or young people and bodies responsible for providing education, whether the child or young person has an EHC plan or not, or health and social care in relation to EHC assessments and plans. Disagreement resolution services can also be used in cases of disagreement between local authorities and health commissioning bodies during EHC needs assessments, the drawing up of EHC plans or the reviewing of those plans.

### **Early Help Assessment:**

An assessment of a child and his or her family, designed to identify needs at an early stage and enable suitable interventions to be put in place to support the family.

### **Early Support Programme:**

The Early Support Programme co-ordinates health, education and social care support for the parents and carers of disabled children and young people from birth to adulthood. A key worker is assigned to families that join the Programme.

### **Early Years Foundation Stage (EYFS):**

The foundation stage begins when children reach the age of three. Many children attend an early education setting soon after their third birthday. The foundation stage continues until the end of the reception year and is consistent with the National Curriculum. It prepares children for learning in Year 1, when programmes of study for Key Stage 1 are taught.

### **Early Years Provider:**

A provider of early education places for children under five years of age. This can include state-funded and private nurseries as well as child minders.

### **Education Funding Agency (EFA):**


An arm of the Department for Education that manages the funding for learners between the ages of 3 and 19 years and for those with SEND or disabilities between the ages of 3 and 25. The EFA allocates funding to 152 local authorities for maintained schools and voluntary aided schools. It is also responsible for funding and monitoring academies, University Technical Colleges, studio schools and free schools, as well as building maintenance programmes for schools and sixth-form colleges.

### **Education, Health and Care Plan (EHC plan):**

An EHC plan details the education, health and social care support that is to be provided to a child or young person who has SEND or a disability.

### **Element 1 Funding**

Schools get most of their funding based on the total number of pupils in the school. Each school receives the same lump sum for fixed costs and an amount per pupil (called the Age Weighted Pupil Unit (AWPU)) which differs, depending on the child's age. These two factors



form the core budget for each school and it is used to make general provision for all pupils in the school, including those with SEND.

The local authority provides Element 1 funding for the schools it is responsible for. The Education Funding Agency (EFA) provides Element 1 funding for academies and free schools through Funding Agreements (available online for each school).

## Element 2 Funding

As well as Element 1, every school receives an amount for special educational needs (up to £6,000 per eligible pupil), from which they deliver the majority of SEND provision in the school. Element 2 is to provide SEND support that is *additional to or different from* the support that most other children get.

The amount is based on a formula which is agreed between schools and the local authority and takes into account the following factors within the school:

- Free School Meals
- Foundation Stage and/or Key Stage scores (pupil attainment)
- Deprivation Index.

## Element 3 Funding

Some children have such complex needs that the school may request some additional funding to 'top up' Elements 1 and 2. Element 3 is provided by the local authority which is allocated through a moderated banding system.

## First-tier Tribunal (Special Educational Needs and Disability):

An independent body which has jurisdiction under section 333 of the Education Act 1996 for determining appeals by parents against local authority decisions on EHC needs assessments and EHC plans. The Tribunal's decision is binding on both parties to the appeal. The Tribunal also hears claims of disability discrimination under the Equality Act 2010. Free school: A free school is a type of academy, which is free to attend, but is not controlled by the local authority. Free schools receive state funding via the Education Funding Agency. Parents, teachers, businesses or charities can submit an application to the Department for Education to set up a free school.

## Further Education (FE) College:

A college offering continuing education to young people over the compulsory school age of 16. The FE sector in England includes general further education colleges, sixth form colleges, specialist colleges and adult education institutes.

## Graduated Approach:

A model of action and intervention in early education settings, schools and colleges to help children and young people who have special educational needs. The approach recognises that there is a continuum of special educational needs and that, where necessary, increasing specialist expertise should be brought to bear on the difficulties that a child or young person may be experiencing.



### **Independent Reviewing Officer (IRO):**

The appointment of an IRO is a statutory requirement for local authorities under the Adoption and Children Act 2002. IROs make an important contribution to the goal of significantly improving outcomes for looked after children. Their primary focus is to quality assure the care planning process for each child, and to ensure that his or her current wishes and feelings are given full consideration.

### **Independent School:**

A school that is not maintained by a local authority and is registered under section 464 of the Education Act 1996. Section 347 of the Act sets out the conditions under which an independent school may be approved by the Secretary of State as being suitable for the admission of children with EHC plans.

### **Independent Supporter:**

A person recruited locally 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, Advice and Support Services:**

Information, Advice and Support Services provide advice and information to children with SEND, their parents, and young people with SEND. They provide neutral and factual support on the special educational needs system to help the children, their parents and young people to play an active and informed role in their education and care. Although funded by local authorities, Information, Advice and Support Services are run either at arm's length from the local authority or by a voluntary organisation to ensure children, their parents and young people have confidence in them

### **Local Offer:**


Local authorities in England are required to set out in their Local Offer information about provision they expect to be available across education, health and social care for children and young people in their area who have SEND, including those who do not have Education, Health and Care (EHC) plans. Local authorities must consult locally on what provision the Local Offer should contain.

### **Maintained School:**

For the purposes of this Code, schools in England that are maintained by a local authority – any community, foundation or voluntary school, community special or foundation special school.

### **Mediation:**

This is a statutory service commissioned by local authorities which is designed to help settle disagreements between parents or young people and local authorities over EHC needs assessments and plans and which parents and young people can use before deciding whether to appeal to the First-Tier Tribunal about decisions on assessment or the special



educational element of a plan. Mediation can cover any one or all three elements of an EHC plan and must be offered to the parent or young person when the final plan is issued, but they are not able to appeal to the Tribunal about the health and social care aspects of the plan.

### **National Curriculum:**

This sets out a clear, full and statutory entitlement to learning for all pupils, determining what should be taught and setting attainment targets for learning. It also determines how performance will be assessed and reported.

### **Non-maintained Special School:**

Schools in England approved by the Secretary of State under section 342 of the Education Act 1996 as special schools which are not maintained by the state but charge fees on a non-profit-making basis. Most non-maintained special schools are run by major charities or charitable trusts.

### **Ofsted:**

Office for Standards in Education, a non-Ministerial government department established under the Education (Schools) Act 1992 to take responsibility for the inspection of all schools in England. Her Majesty's Inspectors (HMI) form its professional arm.

### **Parent:**

Under section 576 of the Education Act 1996, the term 'parent' includes any person who is not a parent of the child, but has parental responsibility (see below) or who cares for him or her.

### **Parental Responsibility:**

Parental responsibility is defined under Section 3 (1) of the Children Act 1989 as meaning all the duties, rights, powers, responsibilities and authority which parents have with respect to their children and their children's property. Under Section 2 of the Children Act 1989, parental responsibility falls upon:

- 1) all mothers and fathers who were married to each other at the time of the child's birth (including those who have since separated or divorced)
- 2) mothers who were not married to the father at the time of the child's birth, and
- 3) fathers who were not married to the mother at the time of the child's birth, but who have obtained parental responsibility either by agreement with the child's mother or through a court order

Under Section 12 of the Children Act 1989, where a court makes a residence order in favour of any person who is not the parent or guardian of the child, that person has parental responsibility for the child while the residence order remains in force.

Under section 33 (3) of the Children Act 1989, while a care order is in force with respect to a child, the social services department designated by the order will have parental responsibility for that child, and will have the power (subject to certain provisions) to determine the extent



to which a parent or guardian of the child may meet his or her parental responsibility for the child. The social services department cannot have parental responsibility for a child unless that child is the subject of a care order, except for very limited purposes where an emergency protection order is in force under Section 44 of the Children Act 1989.

**Personal Budget:**

A Personal Budget is an amount of money identified by the local authority to deliver provision set out in an EHC plan where the parent or young person is involved in securing that provision. The funds can be held directly by the parent or young person or may be held and managed on their behalf by the local authority, school, college or other organisation or individual and used to commission the support specified in the EHC plan.

**Personal Education Plan:**

An element of a Care Plan maintained by a local authority in respect of a looked after child, which sets out the education needs of the child. If a looked after child has an EHC plan, the regular reviews of the EHC plan should, where possible, coincide with reviews of the Personal Education Plan.

**Portage:**

Planned, home-based educational support for pre-school children with special educational needs. Local authorities usually provide Portage services.

**Pupil Referral Unit (PRU):**

Any school established and maintained by a local authority under section 19 (2) of the Education Act 1996 which is specially organised to provide education for pupils who would otherwise not receive suitable education because of illness, exclusion or any other reason.

**Single Route of Redress:**


A National Trial launched in April 2018 which extends the powers of the Tribunal to make non-binding recommendations about the health and social care aspects of Education, Health and Care plans.

**Special Educational Needs (SEND):**

A child or young person has SEND if they have a learning difficulty or disability which calls for special educational provision to be made for him or her. A child of compulsory school age or a young person has a learning difficulty or disability if he or she has a significantly greater difficulty in learning than the majority of others of the same age, or has a disability which prevents or hinders him or her from making use of educational facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions.

**Special Educational Needs Co-ordinator (SENCO):**

A qualified teacher in a school or maintained nursery school who has responsibility for co-ordinating SEND provision. In a small school, the headteacher or deputy may take on this role. In larger schools there may be a team of SENCOs. Other early years settings in group



provision arrangements are expected to identify an individual to perform the role of SENCO and childminders are encouraged to do so, possibly sharing the role between them where they are registered with an agency.

### **Special Educational Provision:**

Special educational provision is provision that is different from or additional to that ordinarily available to pupils or students of the same age, which is designed to help children and young people with SEND to access the National Curriculum at school or to study at college.

### **Special School:**

A school which is specifically organised to make special educational provision for pupils with SEND. Special schools maintained by the local authority comprise community special schools and foundation special schools, and non-maintained (independent) special schools that are approved by the Secretary of State under Section 342 of the Education Act 1996.

### **Speech and Language Therapy:**

Speech and language therapy is a health care profession, the role and aim of which is to enable children, young people and adults with speech, language and communication difficulties (and associated difficulties with eating and swallowing) to reach their maximum communication potential and achieve independence in all aspects of life.

### **Virtual School Head (VSH):**

The Virtual School Head (VSH) is an officer of a local authority who leads a virtual school team that tracks the progress of children looked after by the authority as if they attended a single school. The Children and Families Act 2014 requires every local authority to appoint an officer who is an employee of that or another authority to discharge this duty.

### **Young Person:**

A person over compulsory school age (the end of the academic year in which they turn 16). From this point the right to make decisions about matters covered by the Children and Families Act 2014 applies to the young person directly, rather than to their parents.

### **Youth Offending Team (YOT):**

Youth offending teams are part of local authorities and are separate from the police and the justice system. They work with local agencies including the police, probation officers, health, children's services, schools and the local community, to run local crime prevention programmes, help young people at the police station if they're arrested, help young people and their families at court, supervise young people serving a community sentence and stay in touch with a young person if they're sentenced to custody.



# USEFUL INFORMATION

## SEND Glossary of Acronyms

<b>ABA</b>	Applied Behavioural Analysis	<b>DSA</b>	Disabled Students Allowance
<b>ADD</b>	Attention Deficit Disorder	<b>EAR</b>	Emergency Annual Review
<b>ADHD</b>	Attention Deficit Hyperactivity Disorder	<b>EAL</b>	English as an Additional Language
<b>ADOS</b>	Autism Diagnostic Observation Schedule	<b>EFA</b>	Education Funding Agency
<b>APD</b>	Auditory Processing Disorder	<b>EHA</b>	Early Health Assessment
<b>AR</b>	Annual Review	<b>EHCP</b>	Education Health Care Plan
<b>AS</b>	Asperger Syndrome	<b>EHE</b>	Elective Home Education
<b>ASC</b>	Autistic Spectrum Condition	<b>ELSA</b>	Emotional Literacy Support Assistant
<b>ASD</b>	Autistic Spectrum Disorder	<b>EP</b>	Educational Psychologist
<b>BESD</b>	Behavioural, Emotional and Social Difficulties	<b>EYFS</b>	Early Years Foundation Stage
<b>BSP</b>	Behavioural Support Plan	<b>EWO</b>	Educational Welfare Officer
<b>CAMHS</b>	Child and Adolescent Mental Health Services	<b>FAS</b>	Foetal Alcohol Syndrome
<b>CCG</b>	Clinical Commissioning Group	<b>FASD</b>	Foetal Alcohol Spectrum Disorders
<b>CELF</b>	Clinical Evaluation of Language Fundamentals	<b>FE</b>	Further Education
<b>CF</b>	Cystic Fibrosis	<b>FTT</b>	First Tier Tribunal
<b>CFA</b>	Children and Families Act	<b>FSM</b>	Free School Meals
<b>CHAT</b>	Comprehensive Health Assessment Tool	<b>GDD</b>	Global Developmental Delay
<b>CLA</b>	Child Looked After	<b>GLD</b>	Global Learning Delay
<b>CoP</b>	Code of Practice	<b>HI</b>	Hearing Impaired
<b>CP</b>	Child Protection	<b>HE</b>	Higher Education
<b>CP</b>	Cerebral Palsy	<b>HLTA</b>	Higher Level Teaching Assistant
<b>CYP</b>	Children and Young People	<b>IEP</b>	Individual Education Plan
<b>DDA</b>	Disability Discrimination Act	<b>IRP</b>	Independent Review Panel
<b>DMO</b>	Designated Medical Officer	<b>ISP</b>	Independent Specialist Provider
<b>LA</b>	Local Authority	<b>PP</b>	Pupil Premium
<b>LAC</b>	Looked After Children	<b>PSHE</b>	Personal, Social and Health Education
<b>LSCB</b>	Local Safeguarding Children Board	<b>PT</b>	Physiotherapy
<b>LDD</b>	Learning Difficulties and Disabilities	<b>RAD</b>	Reactive Attachment Disorder
<b>LO</b>	Local Offer	<b>SALT</b>	Speech and Language Therapy
<b>LSA</b>	Learning Support Assistant (Sometimes Called Teaching Assistant)	<b>SDQ</b>	Strengths and Difficulties Questionnaire
<b>LST</b>	Learning Support Team	<b>SEAL</b>	Social and Emotional Aspects of Learning
<b>MARAG</b>	Multi Agency Referral Action Group	<b>SEMH</b>	Social Emotional Mental Health
<b>MLD</b>	Moderate Learning Difficulty	<b>SENCo</b>	Special Educational Needs Coordinator



<b>MAISEY</b>	MULTI Agency Identification and Support in The Early Years	<b>SEND</b>	Special Educational Needs and Disabilities
<b>OCD</b>	Obsessive Compulsive Disorder	<b>SENDIAS</b>	Special Educational Needs & Disabilities Information Advise and Support Service
<b>OLA</b>	Other Local Authority	<b>SENDIST</b>	Special Educational Needs and Disability Tribunal
<b>ODD</b>	Oppositional Defiant Disorder	<b>SLCN</b>	Speech, Language and Communication Needs
<b>OT</b>	Occupational Therapist	<b>SLD</b>	Severe Learning Difficulty
<b>PAT</b>	Placement & Transport Panel	<b>SLT</b>	School Leadership Team
<b>PDA</b>	Pathological Demand Avoidance	<b>SM</b>	Selective Mutism (Formerly Known as Elective Mutism)
<b>PDD</b>	Pervasive Development Disorder	<b>SpLD</b>	Specific Learning Difficulty
<b>PECS</b>	Picture Exchange Communication System	<b>SSE</b>	Somerset Support Services
<b>PEP</b>	Personal Education Plan (For Looked After Children)	<b>START</b>	Statutory Assessment Resources Team
<b>PET</b>	Personal Education System	<b>STC</b>	Somerset Total Communication
<b>PIMST</b>	Physical Impairment and Medical Support Team	<b>TA</b>	Teaching Assistant / Teacher Assessment
<b>PLP</b>	Personal Learning Plan	<b>TFF</b>	Together for Families
<b>PMLD</b>	Profound and Multiple Learning Difficulties	<b>VI</b>	Visually Impaired
<b>TAF</b>	Team Around the Family (When CAF Is About Whole Family)	<b>WIATT</b>	Wechsler Individual Achievement Test
<b>TCMH</b>	Telephone Case Management Hearing	<b>WISC</b>	Wechsler Intelligence Scale for Children.
<b>TAC</b>	Team Around the Child		
<b>TEACHH</b>	Treatment and Education of Autistic and Related Communication Handicapped Children		

This document was co-produced and was available to parents and professionals during the Autumn Term 2019 as working guidance. Feedback has been obtained from individuals, organisations, parent carer forum, schools, and professionals during this period. Somerset County Council would like to acknowledge these valuable contributions.



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Version 2.2 - 02/2020