**Guidance SEND need to use to inform steps they need to take prior to the next CP/CIN Ofsted monitoring visit.**

**Working Together 2018**

**Statutory requirements for children in need**

• under the Children Act 1989, local authorities are required to provide services for children in need for the purposes of safeguarding and promoting their welfare

• local authorities undertake assessments of the needs of individual children and must give due regard to a child’s age and understanding when determining what, if any, services to provide. Every assessment must be informed by the views of the child as well as the family, and a child’s wishes and feelings must be sought regarding the provision of services to be delivered. Where possible, children should be seen alone

• a child in need is defined under the Children Act 1989 as a child who is unlikely to achieve or maintain a reasonable level of health or development, or whose health and development is likely to be significantly or further impaired, without the provision of services; or a child who is disabled. Children in need may be assessed under section 17 of the Children Act 1989 by a social worker

• some children in need may require accommodation because there is no one who has parental responsibility for them, because they are lost or abandoned, or because the person who has been caring for them is prevented from providing them with suitable accommodation or care. Under section 20 of the Children Act 1989, the local authority has a duty to accommodate such children in need in their area

• when assessing children in need and providing services, specialist assessments may be required and, where possible, should be co-ordinated so that the child and family experience a coherent process and a single plan of action

• under section 47 of the Children Act 1989, where a local authority has reasonable cause to suspect that a child (who lives or is found in their area) is suffering or is likely to suffer significant harm, it has a duty to make such enquiries as it considers necessary to decide whether to take any action to safeguard or promote the child’s welfare. Such enquiries, supported by other organisations and agencies, as appropriate, should be initiated where there are concerns about all forms of abuse, neglect. This includes female genital mutilation and other honour based violence, and extra-familial threats including radicalisation and sexual or criminal exploitation

• there may be a need for immediate protection whilst an assessment or enquiries are carried out

*Newham has put in place practice standards for assessment and planning; visits and review for children in these cohorts. These would apply equally to children in these cohorts who have a disability.*

*These standards need to be amended to reflect the needs of children and families assessed under the CSDPA. It is recommended that the SEND service consider practice standards for assessment plans visits and reviews for this group and that data capture differentiates the two groups.*

*It is probable that the SEND team will be in scope for the June monitoring visit if it proceeds.*

**Working Together 2018**

**Assessment of disabled children and their carers**

28. When undertaking an assessment of a disabled child, the local authority must also consider whether it is necessary to provide support under section 2 of the Chronically Sick and Disabled Persons Act (CSDPA) 197015. Where a local authority is satisfied that the identified services and assistance can be provided under section 2 of the CSDPA, and it is necessary in order to meet a disabled child’s needs, it must arrange to provide that support. Where a local authority is assessing the needs of a disabled child, a carer of that child may also require the local authority to undertake an assessment of their ability to provide, or to continue to provide, care for the child, under section 1 of the Carers (Recognition and Services) Act 1995. The local authority must take account of the results of any such assessment when deciding whether to provide services to the disabled child. 29. If a local authority considers that a parent carer of a disabled child (see glossary) may have support needs, it must carry out an assessment under section 17ZD of the Children Act 1989. The local authority must also carry out such an assessment if a parent carer requests one. Such an assessment must consider whether it is appropriate for the parent carer to provide, or continue to provide, care for the disabled child, in light of the parent carer’s needs and wishes.

**Assessment of young carers**

30. If a local authority considers that a young carer (see glossary) may have support needs, it must carry out an assessment under section 17ZA of the Children Act 1989. The local authority must also carry out such an assessment if a young carer, or the parent of a young carer, requests one. Such an assessment must consider whether it is appropriate or excessive for the young carer to provide care for the person in question, in light of the young carer’s needs and wishes. The Young Carers’ (Needs Assessment) Regulations 201516 require local authorities to look at the needs of the whole family when carrying out a young carer’s needs assessment. Young carers’ assessments can be combined with assessments of adults in the household, with the agreement of the young carer and adults concerned. Assessment of children in secure youth establish

**CSDPA**

Where a local authority have functions under Part 3 of the Children Act 1989 in relation to a disabled child and the child is ordinarily resident in their area, they must, in exercise of those functions, make any arrangements within subsection (6) that they are satisfied it is necessary for them to make in order to meet the needs of the child.

(6)The arrangements mentioned in subsection (4) are arrangements for any of the following—

(a)the provision of practical assistance for the child in the child’s home;

(b)the provision of wireless, television, library or similar recreational facilities for the child, or assistance to the child in obtaining them;

(c)the provision for the child of lectures, games, outings or other recreational facilities outside the home or assistance to the child in taking advantage of available educational facilities;

(d)the provision for the child of facilities for, or assistance in, travelling to and from home for the purpose of participating in any services provided under arrangements made by the authority under Part 3 of the Children Act 1989 or, with the approval of the authority, in any services, provided otherwise than under arrangements under that Part, which are similar to services which could be provided under such arrangements;

(e)the provision of assistance for the child in arranging for the carrying out of any works of adaptation in the child’s home or the provision of any additional facilities designed to secure greater safety, comfort or convenience for the child;

(f)facilitating the taking of holidays by the child, whether at holiday homes or otherwise and whether provided under arrangements made by the authority or otherwise;

(g)the provision of meals for the child whether at home or elsewhere;

(h)the provision of a telephone for the child, or of special equipment necessary for the child to use one, or assistance to the child in obtaining any of those things.

Also need to complete an updated assessment prior to the age of 18yrs to inform transition to Adult services.