



## **Somerset Special Educational Needs (SEND) Guidance for Social Care Practitioners**

Head of Assessment and Safeguarding

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

**SOMERSET SPECIAL  
EDUCATIONAL NEEDS (SEND)  
GUIDANCE FOR **SOCIAL CARE**  
**PRACTITIONERS****



# 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**



## What is the definition of Special Educational Needs?

A child or young person has Special Education Needs (SEN) 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, but there is a significant overlap between children with a disability, and those with SEN. 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>1</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.

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<sup>1</sup> Children & Families Act 2014



## Working Together to meet Special Educational 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
- 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


## Education, Health and Care Needs Assessment

Most children and young people with SEN will have their needs met by their mainstream school or college. Some may require an Education, Health and Care Needs Assessment (EHC) in order for the local authority to decide whether it is necessary for it to make provision through an EHC Plan.

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

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- ✎ Requires intensive and longer-term help and support from more than one agency
  - ✎ Is making limited or no educational progress in despite evidence of high levels of support and purposeful interventions

There must be evidence that a graduated response has already been put in place by the school or setting. The [Effective Support for Children and Young People with SEND](#) document outlines the graduated response.

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 also consider 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)

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

## **How to request an EHC Needs Assessment?**

Requests will be accepted by the Statutory SEND Team from various sources including schools, colleges, parents/carers, 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. Social care practitioners can support parents/carers to make a request or make



requests on behalf of children and young people they are involved with however, consent from parents/carers must be sought. It is expected that the majority of requests from social care practitioners will be made by social workers for Children Looked After in their role as a corporate parent.

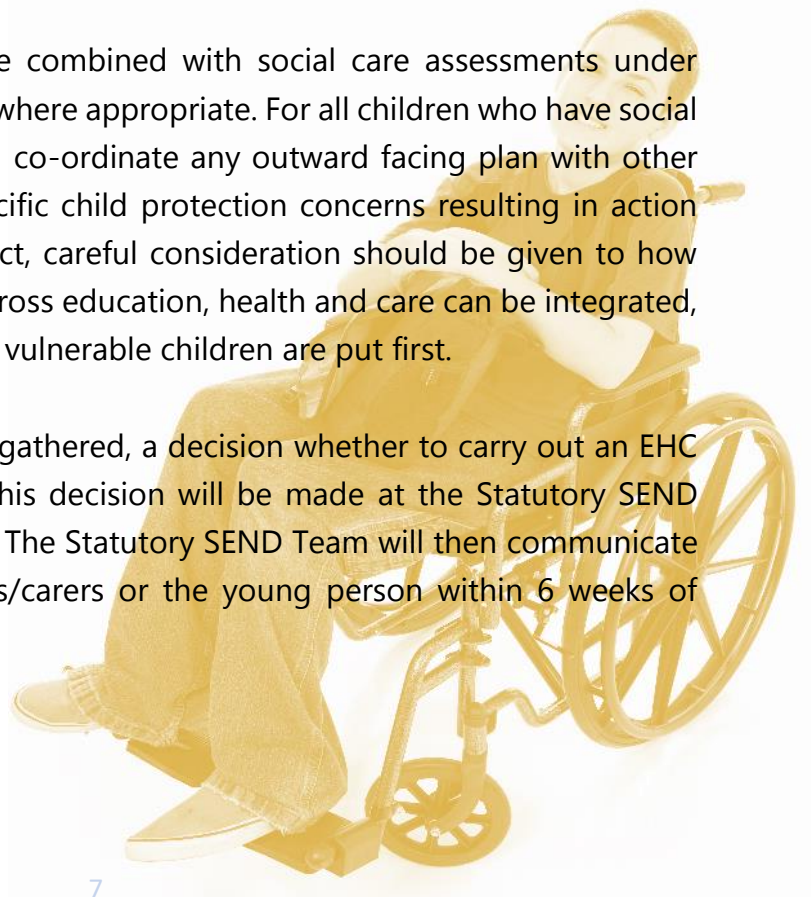
## **What happens when a request for an EHC Needs Assessment is made?**

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 for an EHCP needs assessment and request advice and information from them about the child or young person's education, health and care needs, desired outcomes and provision that may be required to meet identified needs and achieve desired outcomes. This must include social care advice [which will be submitted as an Appendix E] and information including, if appropriate, children in need or child protection assessments, information about a looked after child's care plan or adult social care assessments or Early Help Assessments.

EHC Needs Assessments should be combined with social care assessments under Section 17 of the Children Act 1989 where appropriate. For all children who have social care plans the social worker should co-ordinate any outward facing plan with other professionals. Where there are specific child protection concerns resulting in action under Section 47 of the Children Act, careful consideration should be given to how closely the assessment processes across education, health and care can be integrated, in order to ensure that the needs of vulnerable children are put first.

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 at the Statutory SEND Panel and in line with the legal test. The Statutory SEND Team will then communicate the decision to the child's parent/s/carers 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. For further information on the EHC process please refer to the Somerset Effective Support for Children and Young People with SEND guidance.

## **Who provides information and advice about a child's social care needs?**

The professionals who know the child and family best should provide the social care needs information and advice.

Where a child is known to statutory services this could be an allocated social worker, a family intervention worker from the Family Intervention Service or the Children with Disabilities Early Support Service or a lead professional where there is Early Help involvement.

Where it is not possible to identify other professionals who can provide the social care needs information and advice, a social care practitioner in the Community Inclusion and Activity Team will co-ordinate the provision of this information. The team will contact the family and may approach other professionals who know the family well such as SENCOs, Keyworkers, or universal providers, if needs are met through the Local Offer.

## **Professional contributions**

If you are asked to provide information and advice in relation to a child or young person's social care needs you will be required to submit evidence to the EHC assessment process, via an Appendix E form on LCS (social care needs advice).

The SEND Code of Practice (S9.50) says that professionals should be provided with copies of any representations made by the child's/young person's parents, and any evidence that has been submitted by or at the request of the child's parent or the child/young person at the point that the request for information and advice is made. This is hugely important for two reasons:





- To ensure that all professional information, particularly recommended outcomes, are written with the child/young person and their family's aspirations in mind, in line with the Golden Thread
- To support the Local Authority's 'tell us once' approach, so that families and young people do not have to repeat the same information to different agencies, or different practitioners and services within each agency





## The Golden Thread: Understanding aspirations, needs, outcomes & provision

As a professional advice giver there will be a number of terms that you will come across when completing the Appendix E. It is extremely important that these terms are understood to ensure that you are providing the correct level of information.

<b>Term:</b>	<b>Definition:</b>	<b>Example:</b>
<b>Aspiration</b>	A goal, ambition or hope of the child/young person and/or parents/carers	XXX's mum would like her to be able to communicate her wishes and needs independently
<b>Need</b>	A difficulty that arises from a diagnosis OR barrier to achieving something that requires help or support	XXX struggles to communicate her basic wants and needs this is as a consequence of her severely delayed speech and language skills
<b>Outcome</b>	The benefit or difference made to an individual as a result of an intervention e.g. the change that you are trying to achieve	By the end of Key Stage 1, XXX will be able to use pictures, signs and single words to communicate what she wants and needs
<b>Provision</b>	Any intervention/support or help and any additional resources that are required that are <b>additional to</b> or <b>different from</b> those that are ordinarily available to children of the same age	XXX will have a speech and language therapy programme that is designed and reviewed by a qualified speech and language therapist twice a year and that is delivered by school staff for one hour twice a week

EHC plans should clearly connect the aspirations of the child or young person and/or families with the needs described. This is termed '[The Golden Thread](#)'.



## Writing your advice

You will be required to write about the child's/young person's strengths and needs in the four key areas as specified by The Special Educational Needs Code of Practice:

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

It is important that you strike a balance between strengths and needs. You should describe positively what the child/young person is able to and has achieved. Your advice should be forward thinking, whilst background is important to provide the context, the Education, Health, Care Plan is a 'snapshot in time' but needs to be forward-thinking in terms of outcomes and provision.


## Smart outcomes

An outcome can best be described as 'the benefit or difference made to an individual as a result of an intervention'. It is important that outcomes are SMART (Specific, Measurable, Achievable, Relevant and Time-bound).

Outcomes must take into account the aspirations of the child/young person in order to demonstrate 'The Golden Thread' throughout the Education, Health, Care Plan. Outcomes need to clearly link to the child/young persons assessed needs.

There are a number of common themes that occur when professionals write outcomes for individuals and these should be avoided:

- Outcomes that are too short e.g. termly or annual targets that become out of date very quickly
- Outcomes that are too generic or lack clarity e.g. By the end of school XXX will have improved literacy and numeracy skills
- Outcomes that are not specific or measurable e.g. XXX will improve his behaviour
- Outcomes that are really provision e.g. XXX will be able to access the sensory room once a week
- Do not write a 'wish list' for the child/young person

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- Ensure that outcomes are not too lengthy and include multiple success criteria in the same outcome

It is also important to write outcomes that are within your area of expertise. You should not write outcomes that are owned by another discipline e.g. XXX requires a special school where they can access 24/7 provision. Your advice is part of the holistic assessment of the child/young person's needs and decisions on provision & placement are the responsibility of all agencies who contribute to the assessment.

## Developing smart outcomes

### Specific and measurable

Outcomes need to be specific enough to show what is important **to** and **for** the child/young person, and to enable the outcome to be measured to know if it has been achieved.

Outcomes should **NOT** use wording such as 'access to' 'regular' 'opportunities for' 'to develop' and 'to improve'. Avoid the use of vague statements at all costs.

Examples of some SMART outcomes:


- *By the end of Key Stage 2, XXX will be able to demonstrate an increased awareness of her relationships with others, to a level that she is able to*
  - *Build trusting relationships with adults*
  - *Does not make unkind comments or gestures to others*
- *By the end of Key Stage 2, XXX will be able to concentrate in a whole class environment for twenty minutes on an adult-led activity*

### Achievable and relevant

In considering the outcomes for the child/young person it is good to remember and ask yourself the 'so what?' question. You need to understand what is important **to** and **for** child and young person and what the priorities should be and to consider what is realistic for the individual. It is important to remember that the aspiration for all children and young people in Somerset is that they achieve employment; can live independently, participate in the community and enjoy good health.

### Time-bound

When considering the outcomes, you need to think about long-term outcomes, for most children and young people this will be linked to the key stage of education that



they are in at the time of the assessment. Long-term outcomes should be thought as a period of a few years hence the link to the key stage e.g. By the end of Key Stage 3, XXX will be able to use public transport independently

## Hints and tips for providing information and advice

- Limit your advice to areas in which you have expertise
- Ensure that the child/young persons' views are captured and are the focus of the assessment & advice
- Keep information factual, and evidence based
- Try to avoid reporting what other people think of the child/young person, however if this is necessary then make it clear who has reported this e.g. XXX's mum reports that .....
- Ensure that language is clear, concise and jargon free
- If relevant, include dates of activity e.g. XXX came into the care of the Local Authority in XXX

## Completion of advice and sign off process

You must complete the request for advice and information on the EHCP – Appendix E form on LCS by the date specified in the request for advice letter. Your Appendix E must be authorised by your line manager via LCS before this is uploaded to SharePoint and submitted to the Statutory SEND Team via Business Support (refer to Appendix E Flowchart).

## EHC Plans

Where, having carried out an EHC needs assessment, a local authority decides to make and maintain an EHC plan it must specify appropriate provision to meet the child or young person's needs.

For social care provision specified in the plan, existing duties on social care services to assess and provide for the needs of disabled children and young people under the Children Act 1989 continue to apply. Where the local authority decides it is necessary to make provision for a disabled child or young person under 18 through Section 2 of the Chronically Sick and Disabled Person Act (CSDPA) 1970, the local authority must



identify which provision is made under section 2 of the CSDPA and must specify that provision in section H1 of the EHC plan. It must also secure that provision because under Section 2 of the CSDPA there is a duty to provide the services assessed by the local authority as being needed. Other social care provision, including any adult social care provision for a young person over 18, should be included in section H2 of the plan.

EHC plans must be reviewed at least once a year. EHC plan reviews should be synchronised with social care plan reviews where appropriate, and must always meet the needs of the individual child. Social care professionals must co-operate with local authorities during reviews.

## Transition to adulthood

Young people with SEND turning 18 may become eligible for adult social care services, regardless of whether they have an EHC Plan or whether they have been receiving services from Children's Social Care.

For those already receiving support from Children's Social Care, Local Authorities must continue to provide children's services until adult services provision has started or a decision is made that the young person's needs do not meet the eligibility criteria for adult services following assessment.



