**Children in Care with Special Educational Needs (SEN)**

**Guidance for Social Workers.**

In 2014 the SEND Code of Practice effected key changes in the way Local Authorities met the needs of children and young people with SEND and created an expectation that children, young people and their families will be supported to work in partnership with all professionals and to be active participants in acknowledging their strengths and needs and working towards outcomes that support them into adulthood.

***Our vision for children with special educational needs and disabilities is the same as for all children and young people – that they achieve well in their early years, at school and in college, and lead happy and fulfilled lives.***

***…the aspirations for children and young people will be raised through an increased focus on life outcomes, including employment and greater independence.’***

***Foreword to the SEND Code of Practice 2014***

The key changes to the Code of Practice were as follows

* The introduction of Education, Health and Care Assessments and Plans
* The introduction of Person Centred Planning
* That Local Authorities will work proactively with children, young people and their families giving them an equal voice in creating their own statutory plans and also having input into plans for their future
* Shorter timescales for assessment and issuing of plans
* Delivering services or resources linked to outcomes not needs

Regardless of a child’s level of need or disability the core principle remains that they are a child first and foremost and have the same rights and safeguards as their non-disabled peers. However the SEND Code of Practice places an additional duty on us to support children with SEND but also to be aspirational for them. To date a child with SEND may have been viewed and supported in terms of their needs and less thought given to their strengths or their aspirations in life. Promotion of person centred planning, increased attention to identifying and listening to the voice of the child, preparation for adulthood and outcomes led support aims to create a culture in which each and every child with SEND is valued as an individual who has hopes, dreams and an opportunity to contribute to or enrich the community in which they live or wider society.

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| **Exclusions of Children in Care**  *Exclusion of a child in care is not an equal punishment as that of a child*  *living with their family; the consequence can often be loss of their home,*  *not just their education.* | | | | | |
| Gloucestershire Virtual School has a protocol to, where possible; prevent any CiC from being permanently excluded. [**https://www.gloucestershire.gov.uk/media/4346/cic\_leaflet\_for\_carers\_parents\_\_\_social\_workers\_sept\_1670c4.pdf**](https://www.gloucestershire.gov.uk/media/4346/cic_leaflet_for_carers_parents___social_workers_sept_1670c4.pdf) **. As a corporate parent you have a choice whether to engage with the protocol on behalf of your child in care.** | | | | | |
| Nationally, exclusion rates for looked after children are more than 5 times those for all pupils and given that children with SEND are also statistically more likely to be excluded or be secluded this can create a perfect storm. Problems with education, particularly those resulting in exclusion are common causes of foster care breakdown and can contribute to persistent absence or children missing education. This raises additional safeguarding risks especially for children at risk of being groomed or exploited. Significant numbers of fixed term exclusions can also be an indicator of children who are on the edge of care and for this reason fixed term exclusions data is monitored by the Education Inclusion Service working in collaboration with Early Help and through the MASH. | | | Children in Care already face a wider gap in terms of academic attainment than their peers. Any exclusion from school, reduction in their timetable or internal seclusion that results in them not accessing qualified teacher input puts tem at a further disadvantage. Zero tolerance or arbitrary school behaviour policies can also adversely impact on Children in Care or on the edge of care. Frequent school moves due to placement instability can result in them not having time to understand and assimilate each new school’s rules and in the broader context of the disruption to everyday life and the impact of trauma, punishment for minor infringements such as not having correct uniform can feel like a social injustice to these children. Social workers, in collaboration with the Virtual School have an important role to play in supporting the school to understand that CiC may not have the emotional resilience, literacy or ability to conform to the school rules without additional support. A strengths based approach can be key to helping all involved focus on what the child is good at and reward effort made towards meeting whole school expectations even if they cannot comply 100% of the time. | | |
| **Statutory guidance**  Schools must not have an unofficial arrangement where a child is not allowed on the school site. Informal or “unofficial” exclusions, such as sending students home “to cool off” are unlawful, regardless of whether they occur with the agreement of parents or carers. Any exclusion of a student, even for short periods of time, must be formally recorded. | | | Statutory guidance for exclusion and the school register code guidance should always be followed if exclusion has to be issued. Only the Head teacher (or member of staff with delegated responsibility) can exclude a pupil. All looked after children must be offered full time supervised alternative education from the first day of any exclusion. | | |
| **Fixed-term exclusions for all children whether looked after or not**  Short-term exclusions should be as short as possible. For a fixed-term exclusion of more than 5 school days, the school has a duty to arrange suitable full-time educational provision. This provision must begin no later than the sixth day of the exclusion. Whilst the statutory duty on governing boards or local authorities is to provide full-time education from the sixth day of exclusion, there is an obvious benefit in starting this provision as soon as possible. In particular, in the case of a looked after child, the school and the local authority should work together to arrange alternative provision from the first day following exclusion.  Schools are expected to be proactive in working with the young person, carers, social workers and the Virtual School in doing everything possible to avoidexcluding a Child in Care. Where it is notpossible, or appropriate, to arrange alternative provision during the first day of exclusion, schools should take reasonable steps to set and mark work for pupils. Thework that is provided should be accessible and achievable by pupils outside of school. Where the child has SEND the work should be meaningful, purposeful and differentiated so they can undertake it independently and feel a sense of success. | | | Where it is not possible, or not appropriate, to arrange alternative provision during the first five school days of exclusion, the school should take reasonable steps to set and mark work for the pupil. Work that is provided should be accessible and achievable by the pupil outside school. Schools should have a robust strategy for reintegrating pupils upon their return to school. | | |
| When notifying an exclusion of a CiC from a school the Head teacher should ensure that the parent/carer and social worker has been contacted immediately and ideally by telephone. If available, and if appropriate, the parent/carer should then take responsibility for the collection and supervision of the young person. The Head teacher must inform the Governing Body if a pupil is being excluded for more than 15 days in any one term. Interventions should be in place to avoid an accumulation of 45 days exclusion in one academic year for a young person | | | Written notice must be given to the parent/carer and the young person’s social worker informing them of the precise period and reasons for the exclusion, relevant details of a reintegration interview, and the duties and rights of the parent/carer and the personnel to contact if necessary. There should also be an outline of arrangements made by the school for educational provision for the young person from the first day of the exclusion.  The parent/carer becomes responsible for a young person in the first five days of any exclusion, ensuring that he or she is not present in a public place during school hours. In the case of a CiC therefore it is the duty of all in their role as corporate parents to work together to establish alternative arrangements. | | |
| **Permanent Exclusions** | | | | | |
| Head teachers and Governing Bodies must, by law, have regard to this statutory duty when making decisions on exclusions and administering the exclusion procedure  *https://www.gov.uk/government/uploads/system/uploads/attachment\_data/file/269681/Exclusion\_from\_maintained\_schools\_\_academies\_and\_pupil\_referral\_units.pdf* | | | The Education Inclusion Serviceis always informed of the permanent exclusion. | | |
| The Governing Body must meet between the sixth and the fifteenth day following the exclusion and invite the parent/carer, the young person’s social worker, the Head teacher and a local authority officer. At least five days before the meeting any written statements should be circulated to attendees. All decisions about exclusion need to be made in reference to the statutory guidance (link above) | | | Excluded pupils should be enabled and encouraged to participate at all stages of the exclusion process, taking into account their age and understanding. | | |
| If a child is permanently excluded, provision must bemade by the local authority from the sixth school day of exclusion. However, as good practice**,** when a Child in Care is excluded, full time supervised alternativeprovision should be in place from the first day of exclusion**.** | | | | | |
| **Right of Appeal (Independent Review Panels)**  Should you disagree with the governing body’s decision you may request it is heard by an independent review panel. This application must be made within 15 days of the governing body’s decision. The Academy Trust or Local Authority must convene this review within 15 days of receiving the letter from the parents stating their wish to have the review heard. The membership of the review panel is set out in law so that a reasonable cross section of expertise is in attendance. The costs associated with convening a review panel must be borne wholly by the Academy Trust or Local Authority as appropriate including the costs of an expert witness. However parents may appoint an additional SEN expert or professional witness at their own expense should they wish. The Local Authority, Academy Trust or parents may, if they wish, have legal representation. | | Where you believe the young person was excluded and the head teacher’s exclusion was influenced by the pupil’s special educational needs they may at this stage request that an SEN expert is to attend the review at no cost to them. However the you must request the attendance of this expert at the time and the board of governors must state the fact that they can request this. They may request the attendance of an SEN expert whether or not the child has an EHC Plan or they are on SEN Support | | | |
| **The role of the SEN Expert**  The SEN expert’s role is analogous to an expert witness, providing impartial advice to the panel on how special educational needs might be relevant to the exclusion. The SEN expert should base their advice on the evidence provided to the panel. The SEN expert’s role does not include making an assessment of the pupil’s special educational needs. They may be an employee of the Local Authority but cannot have had any direct dealings with the school or have been involved in the case. Examples of suitable individuals might include educational psychologists; specialist SEN teachers; special educational needs coordinators (SENCOs) and behaviour support teachers. | | The focus of the expert’s advice should be on whether the school’s policies that relate to SEN, or the application of these policies in relation to the excluded pupil, were legal, reasonable and procedurally fair. If the SEN expert believes that this was not the case he / she should, where possible, advise the panel on the possible contribution that this could have made to the circumstances of the pupil’s exclusion. Where the school does not believe the pupil has SEN it is not the role of the expert to assess the child and offer a diagnosis but they may advise or inform the governors as to what they could have done to identify or assess that pupil otherwise and factors that may have led to an exclusion  If you believe that the exclusion has been upheld due to discrimination on the grounds of disability you may at this stage appeal to the First Tier Tribunal on those grounds within 6 months of the day of exclusion | | | |
| **Outcomes from an Independent Review Panel**  The role of the panel is to review the governing body’s decision not to reinstate a permanently excluded pupil. In reviewing the decision the panel must consider the interests and circumstances of the excluded pupil, including the circumstances in which the pupil was excluded, and have regard to the interests of other pupils and people working at the school.  The panel’s decision does not have to be unanimous and can be decided by a majority vote. In the case of a tied decision the chair has the casting vote. The independent review panel’s decision is binding on the: pupil; parents; governing body; head teacher; local authority; and (in the case of an Academy) Academy Trust | | Following its review the panel can decide to:  •Uphold the exclusion decision;  • Recommend that the governing body reconsiders their decision, or • Quash the decision and direct that the governing body consider the exclusion again. | | | |
| Where a panel **directs** a governing body to reconsider an exclusion it has the power to order that a payment of £4,000 be taken back from a maintained school or in the case of an Academy made to the LA in addition too any such funding that would normally transfer with the pupil. This is only enforceable if the governing body refuses to readmit the pupil within 10 days of the review panel’s decision to direct a re-consideration. Generally the panel will only direct a re-consideration where they believe there has been an error in law. | | The panel may **recommend** reconsideration but this cannot be enforced and no fines or sanctions can be applied. | | | |
| **Children with SEND in Youth Custody** | | | | | |
| From 1st April 2015 new laws and statutory guidance apply to how young people with SEN are supported in youth custody. In addition to the general provisions of the *Children and Families Act 2014* in relation to SEND sections 70-75 of the Act and *the Special Educational Needs and Disability (Detained Persons) Regulations 2015* set out specific statutory provision for young people with SEN in youth custody. It should be noted that secure units for children are designated ‘secure children’s homes’ and as such are subject to the same standards as non-secure settings. They also have a duty to provide a full and balanced curriculum delivered by qualified teaching staff and must make the same reasonable adjustments as any school is bound to. The key difference is that a secure children’s home cannot refuse to admit a child with SEND to their educational facilities if they are accommodated there. | | The duties on the Local Authority and the accommodation provider are   * Youth offending teams and youth accommodation providers must have regard to the SEND code of practice and must cooperate with the local authority in relation to SEND. * Youth offending teams must notify local authority EHC Service when any young person under 18 is remanded or sentenced to custody. * The EHC Service must tell the YOT and youth accommodation provider within 5 days if the young person is known to have special educational needs, and provide all available information about those needs including a copy of the EHC Plan if there is one. * Youth accommodation providers complete an education assessment for all young people admitted, leading to an Individual Learning Plan. This must take account of any SEN identified through their assessment and any information supplied by the LA including an EHC Plan if there is one. * The EHC Service must maintain and therefore review an existing EHC Plan for young people under 18 remanded or sentenced to custody. This is a new duty since April 2015 * The EHC Service must arrange and monitor any special educational provision specified in the EHC plan, or as close to it as possible, while in custody. It is accepted that some provision may not be feasible to deliver in a secure setting dependent on the nature of the offence however it is a duty to try and arrange it. * Health needs for all young people in custody are assessed using the Comprehensive Health Assessment Tool leading to an individual health care plan. This must take account of information provided by the SEND Service about a young person’s needs including an EHC Plan if there is one. * Health care specified in an EHC Plan must be arranged by NHS England who is the health commissioner for custodial establishments. * Consideration must be given to whether social care needs specified in the plan continue in custody. There are specific duties to young people in care who go into custody. | | | |
| **Since 2015 young person remanded to custody becomes Looked After and there additional duties on the EHC Service where the young person has SEND.** The aim of the legislation and guidance is to ensure that special educational needs are met in youth custody for young people under 18. The education assessment carried out by the provider should identify any SEN and ensure it is met. The duty to have regard to the code of practice is incumbent on the youth accommodation provider and includes the provision of education and health care provision within that setting The youth accommodation provider should be aware of the expectations of GCC such as the requirement to identify and make provision for SEND through a graduated response. | | The EHC Service must   * Consider a request for an EHC needs assessment while the young person is in custody. * The EHC Service must complete any EHC needs assessment underway on entry to or exit from custody * Review the EHC Plan on release. | | | |
| Youth accommodation providers would be expected to apply the principles of SEN Support in common with any other educational institution. However it is understood that youth sentences are commonly of a short duration and as such evidence of this cycle of monitoring may not be feasible in all cases. When a request for an EHC Needs Assessment is to be made the referring professional should complete the relevant form and attach any documentation to support the request. A decision will be made with 6 weeks of receipt. | | Statistically it is relevant that many young people in youth custody have a learning difficulty however in order to meet the thresholds for an EHC Needs Assessment they should have needs which cannot be met from within the resources usually available to other children of the same age. Persistent poor attendance or frequent exclusions leading to poor attainment when at school is not immediately indicative of a lifelong learning difficulty. Prevalent disorders such as ADHD or Dyslexia should also be generally met within a mainstream school and as such would rarely meet the thresholds for an EHC Needs Assessment. | | | |
| **Annual reviews for secured young people with EHC Plans**  Should a child with an EHC Plan be in secure accommodation the aim is to ensure that provision set out in the Plan continues to be made in custody and that there is timely planning to meet needs on release. Where the EHC Plan includes health care provision this should be arranged by NHS England. However, if a young person with an EHC Plan including healthcare provision goes into custody, the Designated Medical Officer for GCC must be advised.  If a young person is in care to Gloucestershire and living out of area upon going into custody, the LA where they are placed has the duty to provide information including the EHC Plan. The YOT should notify both local authority SEN teams in this case.  Young people placed in custody in Wales, where SEND reform has not been enacted, should be supported in the same way as if they were placed in England. In this case the Local Health Board is responsible for arranging to meet health care needs.  The EHC Service will lead on reviewing EHC Plans for those in custody and monitoring provision. The YOT and youth accommodation provider will be key members of the team around the young person for reviewing EHC Plans while in custody. | | Given that release from custody is often linked to a suitable and effective plan having been made to support a young person it is essential that plans are formulated well in advance and suitable educational placement secured prior to release date. Failure to access education may cause a young person to breach their licence conditions but if the EHC Service has not made the appropriate arrangements it remains the young person who is most disadvantaged. | | | |
| **Placement Stability** | | | | | |
| The importance of placement stability for children in care is understood and accepted by all and multiple school or placement moves is something which everyone wishes to avoid. For children who are risk of placement breakdown where placement stability meetings are being convened it is good practice to alert the EHC Service to the fact that the placement is at risk and share relevant information with the Lead Case Coordinator about the factors what are impacting on tis. Frequent fixed term or illegal exclusions such as part time timetables can impact on the resilience of carers to meet a child’s needs so this may need to addressed with the school supported by the EHC Service and where the chid does not have an EHC Plan the Education Inclusion Service can support. | | | | | |
| Placements for CiC can fail with minimal notice and new care placements have to be found quickly sometimes on the same day. It is understood that a school or setting can be perceived as a safe place for many children in care where they may have formed trussing relationships with key adults and it is often in the child best interests to try and maintain some stability of school placement even when their care is less stable. | | Children in care or those entering care who have to move schools at short notice risk losing access to positive social networks and support circles that may be protective factors for them. Where possible every effort should be made to maintain the CiC’s current school placement until such time as anew and supportive educational setting can be found and information shared between settings as to what works well for the chid and they have an opportunity to visit a b-new school and meet key staff including the SENCo, pastoral staff. The schools Designated Safeguarding Lead with the SENCo should if possible have time to prepare for a CiC to come into the setting and feel welcome and included. | | | |
| For a CiC with an EHC Plan schools have 15 days in which to consider whether they can meet the needs as set out in the EHC Plan and this time should be used proactively by all working with the CiC to support the school in understanding what can be done to support the move and remove any barriers to participation and inclusion. | | | | | |
| **SEN Support - the Graduated Approach** | | | | | |
| Every child has aspirations. They may not seem realistic or achievable but they are the child’s views and need to be sought and listened too. It takes time and energy as well as a real desire to listen to the child. It takes even longer to explore and record their aspirations where cognitive and developmental age can be a barrier. However we have a duty to enable a child to communicate with us even where that means we have to use different strategies such as observation, interactive play or alternative communication | | | | | |
| The SEN code of practice stresses a graduated and multi agency approach to supporting SEN. The views of children and parents (or those with PR) should be at the centre of any support as the SEND Reforms (CAF2014) set person centred and strengths led approaches as a central principle | | If a child has identified SEN they should be registered by their school or setting as being SEN Support. All professionals working with children must actively be aware of children in their care who may have SEN and seek appropriate advice and support as appropriate to ensure their needs are met in a timely and responsive manner. This is ordinarily through the school SENCO in the first instance. | | | |
| The CAF 2014 also places a duty on all settings to ensure that every child regardless of whether they have additional needs or not should have access to high quality, personalised and differentiated teaching. Children with SEND are further protected by the Equalities Act and other legislation with regards to access to a full time and appropriate education and opportunities that are equal to or in line with their peers. All schools and settings must make reasonable adjustments to meet the needs of all children regardless of need or disability and all schools have a delegated SEN budget that is allocated for the benefit of these children.. | | A CiC having SEND or any additional needs is not an appropriate or lawful reason for a child to not have access to full time education, be informally excluded or not to have access to all activities and opportunities that their peers do | | | |
| The main categories of need are;   * Communication an Interaction Needs (C&I) this typically encompasses ASD, Specific Learning Difficulties i.e. Dyslexia * Cognition and Learning (C&L) this typically encompasses Moderate LD, Severe LD, Profound and Multiple LD * Social, Emotional and Mental Health (SEMH) this typically encompasses Attachment Disorder, ADHD, severe behavioural difficulties possibly arising from childhood trauma or neglect, mental health difficulties * Physical, Sensory and Medical Needs (P&M) this typically encompasses physical impairments, sensory impairments, lifelong or life limiting medical conditions. It does not necessarily assume that the child also has a learning difficulty or needs reasonable adjustments over and above what any school should put in place in line with the Equalities Act. | | Children may have complex needs which cross more than one area of need but the one which is considered as pervasive and lifelong should be recorded as the primary one. However in the case of a CiC with a diagnosis of ASD it is also imperative to identify any other co-morbid condition such as an additional learning difficulty and the severity of that. | | | |
| **If a CiC is registered as being on SEN Support** | | | | | |
| At this stage the school should produce a plan specifying their identified needs, setting SMART outcomes and detailing the provision they will make available to help them achieve those outcomes. In Gloucestershire this is called a My Plan, other counties use other terms such as IEP. A My Plan should be regularly reviewed (once a term), and those with PR and carers should receive a copy or may be invited to the review, this differs between schools. | | The My Plan should go through several cycles of review, assessing whether the interventions and strategies that are being put in place are effective. Should the child not make progress despite meaningful and evidence based interventions it may be necessary to involve other professionals e.g. Paediatrician, Educational Psychologist, Advisory Teaching Service (ATS), Speech and Language (SALT), Occupational Therapist (OT) for targeted advice and recommendations. | | | |
| At this stage a child will usually be escalated to a My Plan +. The cycle of assess/plan/do/review should then be reinstated using the My Plan + which will be informed by more specialist and targeted advice. | | A child may never reach age related expectations in line with their peers but if they continue to make progress in line with their peers and against their baseline or they are closing the attainment gap this is evidence that the strategies in place through a MY Plan + are effective. | | | |
| **Request for an EHC Needs Assessment** | | | | | | |
| **Only if a child has SEN which calls for special education provision to be made for them should a school or carer consider requesting an EHC Needs Assessment. The EHC Needs Assessment is a comprehensive process which takes 20 weeks to complete. It should only be considered for the minority of children with the most complex needs as the expectation is that the vast majority will have their needs met through SEN Support (SEND Code of Practice 2014)** | | | | | | |
| Any involved professional can request an EHC Needs Assessment <https://www.gloucestershire.gov.uk/schoolsnet/your-pupils/special-educational-needs-and-disabilities-send/sencospot/gloucestershires-send-graduated-pathway/> using the form and guidance available. The EHC Service will make a decision based on the evidence provided as to whether it is necessary to start an EHC Needs Assessment based on whether they believe the child may have needs that may require specialist education provision to be made for them. This decision will be made and all parties informed within 6 weeks of the receipt of the request. | | | | | | If the decision to undertake an EHC Needs Assessment is agreed there will be a further 10 weeks before the decision whether or not to issue an EHC Plan is taken. From the receipt of the request to the date an EHC plan must be finalised (if agreed) tit is 20 weeks Please note not all EHC Needs Assessments lead to an EHC Plan. |
| A needs assessment under the SEND Code of Practice is normally agreed when:   * C*hild’s needs are significant and long term and* * *Despite evidenced based interventions already provided by the educational setting, the child is not making progress.* | | | | | | A positive and effective need assessment will ensure that:   * The child MUST be at the heart of the process and a person centred approach promoted by all involved at all times. * Children and their parents should be fully engaged in the process and actively encouraged to participate in all decisions regarding the provision to be made and the outcomes to be agreed. * The process should be well coordinated and planned out in advance with the child and their family. * Will have regard to views, feelings and wishes of the child and where the young person is under 18 the child’s parent, throughout the whole process. Where there is disagreement between a young person of 16 or over, deemed to have capacity and their family, the young person’s wishes should have precedence. * The process and timescales are statutory and **must** be followed unless specific exceptions apply. Engagement of children and their parents should not be compromised as a result of keeping to timescales. * Where possible a ‘tell us once’ approach should be used and promoted. * All professionals should ensure that demands on the family are minimised. * All professionals involved in the process must ensure that the information they provide is easy to understand and accessible * All professionals will maintain a strong focus on high aspirations and improving outcomes for the child. * Professionals should work together with the child and family to effectively share information. |
| If a decision is taken not to proceed with an EHC Needs Assessment or following Assessment not to issue an EHC Plan | | | | | | The EHC Service will inform both the Social Worker and those with shared PR of the decision and explain the reasons in writing. They may also if requested offer a meeting to explain in detail the reasons for the decision. They may   * provide individualised guidance in relation to universal and targeted services available in educational settings and elsewhere (Local Offer) * provide information about independent support and guidance available through the parent partnership services * provide information about the right to access disagreement resolution, mediation services or appeal via First Tier Tribunal   The approach to these meetings should be flexible and responsive to the needs of the child or young person and their carer and it should be followed up with a further letter outlining agreed actions |
| If an EHC Needs Assessment is agreed there is a statutory duty to request advice from a number of services.  Advice and information must be sought from:   * child’s parent or carer * the child or young person regardless of age * educational setting * health professional * Educational Psychologist * Social Care * specialist teacher for Visually and/or Hearing impaired (if applicable) * any other person as requested by the parent/ carer or young person * any other relevant advice e.g. from youth offending team, virtual school head | | | | | | All advice provided as part of the needs assessments must:   * be clear, accessible and specific * highlight strengths and capabilities not just needs * be relevant to identified needs and suggest relevant outcomes * contribute to strategies for achievement of such outcomes * be limited to the relevant professional expertise.   Where possible, contributing professionals should set out their advice in such a way that it reflects the structure of an EHC Plan. They should identify needs in some or all of the four key areas suggest outcomes and recommend the provision that may be necessary to achieve these.  In order to avoid delays and duplication, the young person, parents or professionals and the Local Authority may agree to use existing reports. Everyone involved should be satisfied that they are accurate and sufficient for the purpose of the statutory assessment. Young people or their carers may request that sensitive information not be recorded particularly with regards to medical issues or information related to their birth family or early trauma |
| Children should be encouraged to contribute in any way they can through verbal language, drawing pictures or through alternative communication strategies. For very young children or those who do not wish to communicate directly the Social Worker can support this process through their professional knowledge or the use of augmentative support such a MOMO or MOMO Express. The CiC may also submit visuals, videos or written submissions as their voice. | | | | | | |
| By Week 16 of the assessment process the draft EHC Plan will be shared and you may be asked to express a preference of school for your CiC. You have 15 days to review the draft EHC Plan and express a preference by return. Please consider the importance of all CiC having the opportunity to build strong and sustainable networks in their local community while expressing a preference of school. | | | | | | |
| **CiC with an EHC Plan** | | | | |
| A CIC with SEN may have an Education Health Care Plan (EHCP). This is a legal document which sets out the child’s needs and details support and outcomes. It does not replace or supersede any other statutory plans or a PEP but should reflect the key points within them and be complementary to them. It is designed to be a holistic plan which considers the whole child, specifying short and long term outcomes to ensure the for the best possible future for the child. It should be specific about the child’s SEN, specify and quantify the type of provision required to support them and who should deliver it and be explicit in showing how that provision will support progress towards SMART outcomes. | | | An EHC Plan does not assume that the school will receive any additional funding and where resources are allocated to an EHC Plan they will be based on a costed provision map. Resources may include advice from support services or additional funding to allow the class teacher to undertake more targeted work with a child or in the most exceptional cases for specific adult support. The EHC Resource panel will also take into consideration how the school is utilising its LAC Premium to support the CiC before allocating additional resources. | |
| **Annual Review of the EHC Plan** | | | | |
| If a child has an EHCP, it is a statutory requirement that this is reviewed annually. This will be arranged and chaired by the school, usually their Special Educational Needs Co-ordinator (SENCo) and should be around the same date each year. The child’s views are an integral part of this and should be shared as part of the review. Social workers should attend and contribute their desired outcomes for the child. | | | As a result of these reviews additional SEN funding for the individual child can increase or decrease so it is important the SW is present to champion their needs. All decision with regards to EHC resources are made by a weekly panel and will be based on evidence. | |
| The Annual Review will be convened by the educational setting and relevant reports should be circulated at two weeks in advance of the meeting. | | |  | |
| Where possible it is always best practice to align the Annual Review and LAC Review in order to reduce stress on the CiC. The CiC is always expected to attend their own Annual Review unless it would not be in their best interests. It is the duty of professionals working around the CiC to facilitate their attendance and support them to be able to contribute | | | Where children and young people wish to attend the entire meeting, the every one attending should endeavour to   * + Explain who they are and what is their role including confidentiality and how child or young person is going to be involved in the meeting   + Allocate seating following consultation with the child or young person as to their preference. This may be sitting on the floor or in a favoured place so be flexible.   + Ensure that Plain English standards are carefully adhered to. Making sure everyone understands what is being said   + In conjunction with carers or trusted adults pay attention to the child or young person and their behaviour and advocate for them in terms of their emotional and/or of physical needs as well as their understanding and/or communication needs.   + When someone speaks on their behalf, ensure this is correct   + Provide the child or young person with appropriate summaries of the content at relevant points in the meeting.   + Support the child or young person to ask questions and give time for their responses   + Close the meeting by thanking everyone including the child or young person for their contributions.   + Take the opportunity to learn from the child/young person’s experience of the meeting in terms of implications for future joint working practice. | |
| **Transition reviews (Year 9 and above)**  The review of an EHC Plan of a young person in the school year in which they turn 14 years of age (Year 9) and every review thereafter must include a focus on preparing for adulthood including employment, independent living and participation in society. This transition planning must be built into EHC Plans and where relevant should include effective planning for young people moving from children’s to adult care and health services.  The CAF 2014 places a duty on Social Workers to attend the Year 9 Annual Review | | | Planning must be centred around the individual and explore the young person’s aspirations and abilities and what they want to be able to do when they leave post-16 education or training and the support they need to achieve their ambition. . The review will explore provision accessible to students in order for them to be healthy, participate in society, and live independently, access further education and/or employment where appropriate. For young people with SEND the desired outcomes for adulthood may take longer to achieve than for those with no additional needs therefore it is essential that achievable and measurable goals are set at the Year 9 review and are subject to interim monitoring by the school throughout the year. Although young people may not have clear ideas about what they wish to achieve in terms of further study or qualifications there can be a focus on increasing independence and building on areas of relative strength. | |
| Annual reviews from Year 9 onwards should identify the support the child or young person needs to achieve these outcomes and should also identify the components that should be included in their study programme to best prepare them for adult life. It should identify how the child or young person wants that support to be available and what action should be taken by whom to provide it. It should also identify the support a child or young person may need as they prepare to make more decisions for themselves. This includes from 16 years old and above  Young people are entitled to have support such as an advocate to allow them participate fully in this planning and make decisions. A young person can ask a family member or friend to support them in any way they wish, including, for example, receiving correspondence on their behalf, and filling in forms, attending meetings, making telephone calls and helping them to make decisions. Local authorities and other agencies working with young people should work flexibly to accommodate these arrangements. They should also be flexible about accommodating any changes in those arrangements over time, since the nature of the family’s involvement may alter as the young person becomes older and more independent. | | | Young people in care may want your support for   * the right to make representations about the content of their EHC plan * the right to request that a particular institution is named in their EHC plan * the right to request a Personal Budget for elements of an EHC plan * the right to appeal to the First-tier Tribunal (SEN and Disability) about decisions concerning their EHC plan | |
| **Annual Reviews at Phase Transfer**  Phase Transfers are a statutory duty under the Education Act and are specific to children with an EHC Plan transferring from  • early years provider to school  • infant school to junior school  • primary school to middle school  • primary school to secondary school, and  • middle school to secondary school  The phase transfer process ensures that children and young people with Statements or EHC plans receive a confirmed offer of a school or further education place by or on 15th February before mainstream (non SEND) school places are offered on the 31st March annually. Year 11 pupils do not have to have a final plan naming their next post 16 setting until the 31st March. | | | An EHC plan must be reviewed and amended in sufficient time prior to a child or young person moving between key phases of education, to allow for planning for and, where necessary, commissioning of support and provision at the new school or setting.  The process of managing a Phase Transfer is generally started in the academic year prior to transfer for example a primary to secondary transfer is considered at the Year 5 annual review. The purpose and remit of the annual review remains as detailed above but you will be asked to start considering their preference of school at this stage.  Children with EHC Plans do not apply for secondary provision through the schools admission system as their children are awarded places in advance of those with no Plan. The school of preference must admit the child unless it can prove it is unable to meet the child’s needs. | |
| At the Annual Review the outcomes sought for the CiC should be reviewed and suggested amendments put forward as appropriate. | | | Outcomes should be forward looking and aspirational while also being SMART. They should focus on the next key transition in the child’s life and support them to take steps towards preparing for adulthood and leaving care. | |
| Once the completed Annual Review minutes are received from the Educational setting the EHC Service may issue an Amendment Notice to the EHC Plan. This is a statutory duty as the EHC Plan cannot be changed without consultation with all parties concerned. | | | The Amendment Notice will show the text which is to be removed in ~~strikeout~~ and the text to be added in ***bold italics***~~.~~ Should you disagree with any of the amendments or wish to make additions please return the Amendment Notice to the EHC Case Coordinator within 15 days using tracked changes where possible. | |
| All parties will have 15 days to respond to the Amendment Notice after which, providing consensus is reached it will be issued as an Amended Final EHC Plan. The dates of changes to the EHC Plan from the point of first issue are recorded on the final page of the document for audit purposes | | | Until the Amended Final EHC Plan is issue d the most recent EHC Plan remains valid. The Amendment Notice des not confer any rights in itself to provision or type of school. | |

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| **CiC with EHC Plans in Independent schools** | |
| For the purpose of this guidance independent non-maintained (INM) schools refers to those in the private sector which are fee paying. Academies, grammar schools and free schools may be deemed independent of the local authority but are publicly funded schools and are not relevant to this guidance. The guidance is relevant to both day and residential placements at INM schools but many elements, such as safeguarding and the national minimum standards are specific to residential placements. | |
| INM schools are bound by the Code of Practice in the same way as maintained schools with a few exceptions but they are expected to maintain the same standards of teaching and care. One of the key differences is their rights to be selective in their admissions process the termination of a placement should they wish with no requirement to formally exclude a pupil. | |
| Some CiC may have to attend an independent school due to their care needs not being able to be met in county. Where possible a publically funded school close to their care setting will be sourced | INM schools will, in general, be designated as specialist settings with a specific area of expertise. They may offer a core fee which will include a range of provision that could be over and above the provision laid out in the EHC Plan which can make them appear more favourable to parents. All INM schools will have a profit margin built into their core fees that may vary significantly depending on the schools charitable status and whether profits are reinvested in the school or form part of a wider company. |
| **Seeking expressions of interest**  Unlike a maintained school an INM school does not have to answer a formal consultation although they are still in effect stating they can meet a child's needs. Most INM providers used by GCC are regularly quality assured by the Specialist Commissioning Service or are approved by the Secretary of State (S.41 list). They have accepted the standards of conduct and behaviours set out by GCC and work collaboratively with us  Ideally we require that three EOIs at a minimum are received before a decision can be made on which placement to pursue. However there will be an occasion when a placement is needed that is so specialist that the market cannot support three responses i.e. certain sensory impairment are not sustainable. Where this happens good recording of the efforts made to secure fair competition and he reasons for discounting the alternative distant providers will be recorded This may impact on contract arrangements for a CiC as suitable educational provision may be at a significant distance but the rationale and any alternative bespoke arrangements that could be made will be discussed with the Social Worker. | When the EHC Service requires an INM placement the Specialist Commissioning Team invites expressions of interest (EOI) via the electronic procurement portal. An EOI is not an offer of a school place per se but a statement that the provider believes that they can meet the child's needs as set out in the referral and a fee which they believe is appropriate based on the information shared. At the time of seeking an EOI the provider does not have access to all the child's information just the key points such as gender, chronological age, primary needs, desired outcomes and placement terms. This is in line with good information sharing protocols.  EOIs should set out   * Whether they believe they can meet the child's needs * Whether they believe they can deliver the desired outcomes * The timescales in which they can commit to this * The cost per annum or term as appropriate including any additional costs they consider will be required * Likely admission date |
| All placements at special INM schools must be made via a contract that is standardised across England, the NASS Schools Contract. In GCC the version in use is the 2014 NASS contract. If a child is in a 52 week placement they should be placed there using the Children’s Home contract which is a more detailed contract and sets out in greater depth the expectations with regards to safeguarding etc.. All commissioning of INM school placements is undertaken by the Specialist Commissioning Service | The importance of all placements being contracted is not to be underrated as it is the basis on which the INM schools placement is monitored and any breach of this contract could result in them not being paid their fees. It also sets out who is responsible for the allocation of certain benefits and costs which can impact on the final fees. |
| The NASS contract is made with the provider but the CiC will also have an Individual Placement Agreement (schedule 2 to the contract) | The Schedule 2 (IPA) allows the placing authority to determine an exit date at which the contract will automatically terminate so allowing the Specialist Commissioning Service and EHC Service to plan for the child to be managed out of an INM setting into one within the maintained sector. It details the fees to be paid and also any variations in those fees such as waking night cover or additional staffing over and above the core offer. INM schools can and should be able to detail the provision made and the charges per hour to a very detailed level. It is essential that it is accurately completed and all relevant information is shared with the provider. Failure to share information can put LCC in breach of contract or subject to additional fees. Placing teams should never withhold information about a child's challenging behaviours or any risks they may present when seeking expressions of interest and where parents will not give permission for relevant information to be shared this should be noted |
| Additional charges  There should also be great care taken to establish if additional therapies are included in the core fee which is not a provision in the EHC plan. Many providers offer an assessment by an SALT or OT as a standard part of their fees, this may initially appear acceptable but if the therapist then recommends additional input the fees may rise as parents will feel that the therapeutic input is necessary and argue for it. Access to small group sessions led by a therapist may be considered acceptable where the focus is on consolidating certain social communication skills as opposed to direct therapy and is part of the core offer for all pupils.  With regards to charges for health provision all children in residential schools should, unless looked after have their primary health care needs delivered by their own clinician unless that professional makes arrangements for another NHS practitioner to deliver care on their behalf. | The Residential Boarding School minimum standards state that all therapies should be evidence based so care must be taken to ascertain how some of the more obscure ones are delivered and how progress is monitored. Therapists must be professionally qualified and where appropriate members of a professional body.  Where the child is accessing regular input from a clinician or CAMHS/CYPS in their own community the CCG must be informed of the move to a residential setting particularly where it is in a different LA so they can commission services from the CCG where the child will be based. There must be no assumption that primary health care services will be delivered, at a cost, by the provider. An element of cost for school nursing services is deemed acceptable in general. |
| **The difference between a residential school and children's home**  In some cases a residential school may be registered as both children's home and a school as opposed to a residential school. The key difference is in the minimum standards of care and how they are inspected and judged. Any residential school that accommodates or intends to accommodate children for more than 295 days per year must be registered as children's home and a special school. It is irrelevant whether the individual placement you are making is for less than 295 days the providers registration must be compliant with law.  Where a child is not looked after we need only consider that the school meets the National Minimum Standards for Residential Special Schools https://www.gov.uk/government/.../20150319\_nms\_rss\_standards.pdf  Children's homes are inspected by Ofsted under a new Framework April 2015 which is more robust and places a greater emphasis on the safeguarding and care standards of young people than previously. Therefore when we go to check the inspection judgement of a residential school we will establish if it is a children's home/ school or a residential school and where it is dual registered check both the care and education Ofsted reports. It is not uncommon for a provider to be judged as adequate in education but inadequate in care even though the provider is the same. | |
| **EHC Plans Post 16** | |
| Post 16 planning whether for Leaving Care or Staying put for a young person in care should be a collaborative approach between all services. The Pathway Plan should reflect where appropriate the educational outcomes and aspirations of the young persons EHC Plan. | |
| The National Audit Office estimates that supporting one person with a learning disability into employment could, in addition to improving their independence and self-esteem, increase that person's income by between 55% and 95%. Therefore, it can lead, in the longer term to significant savings to the public purse as well as improved financial independence for the young person They also estimate that in equipping a young person with the necessary skills to live in semi-independently rather than fully supported housing could reduce lifetime costs by around £1 million. There is also the significant benefit to improve the young person's quality of life. | In order to support young people in preparing for adulthood the Local Authority has a duty too  •support and involve the young person and their family if they wish, in carrying out their functions and to have regard of their views, wishes and feelings. This includes aspirations for their adult life.  • offer advice and information directly to young people. This includes information and advice which supports children and young people prepare for adult life.  •together with health services, where applicable , to make joint commissioning arrangements about the education, health and care provision of children and young people to secure positive adult outcomes for young people with SEN  •keep education and where relevant, care provision under review including the duty to consult young people directly, and to consult schools, colleges and other post-16 providers  •cooperate with FE colleges, sixth-form colleges, 16-19 academies and independent specialist colleges approved under Section 41 of the Children and Families Act 2014.  • consider the need for EHC needs assessments, prepare EHC plans where needed, and maintain and review them, including the duty to ensure that all reviews of EHC plans from Year 9 (Age 13-14) onwards include a focus on preparing for adulthood and, for the 19-25 age group, to have regard to whether education or training outcomes specified in the EHC plan have been achieved.  • make young people aware through their Local Offer of the kind of support available to them in higher education and, where a higher education place has been confirmed for a young person with an EHC plan, to pass a copy of the EHC plan to the relevant institution and to the assessor for Disabled Students Allowance with the permission of the young person. |
| Preparing for adulthood means preparing children and young people 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. * Participation in Society including having friends and supportive relationships and participation in and contributing to the local community. * Being Healthy as possible in adult life. * Independent Living. This means young people having choice and control over their lives and the support they have; their accommodation and living arrangements, which could include supported living. | Transition reviews from Year 9 upwards will have focussed on support to prepare for higher education and or/employment and identifying appropriate post-16 pathways that will lead to outcomes. It could outline;   * Supported internships * Apprenticeships * Traineeships * Support for setting up your own business * Support to find employment * Learning of how to do a job (through work experience or job coaches) * Help in understanding any welfare benefits that might be available when in work. |
| Young people with EHC plans are likely to need more tailored post-16 pathways. Discussions about post-16 options, as part of preparing for adulthood, and the local authority must ensure that schools and colleges are involved at these reviews.  Previous SEN provision is shared with the further education or training provider and wherever possible they should pass on the information on prior to the young person taking up their place. This should be done preferably in the spring term, prior to the new course in order for the new provider to put into place a suitable study programme and the appropriate support required  Schools and colleges should also provide opportunities for the young person such as link programmes, taster sessions and mentoring. This will enable the young person with SEN to familiarise themselves with their new environment and help make a good transition into college life.  **13.5 Evidencing Progress**  Further education is funded differently to mainstream schools and Element 1 and 2 (approximately £10k) is allocated by the Education Funding Agency (EFA). In addition the EFA funds for the duration of a programme of study which may be up to three years in length and it is therefore difficult to develop an exit strategy where the student fails to progress. In order for an FE College to meet the EFA criteria for funding a placement the student musty not take courses that fail to demonstrate progression such as taking a series of Level 1 courses. The Wolf Report published in 2011 <https://www.gov.uk/government/publications/review-of-vocational-education-the-wolf-report> refers to the ‘churning’ effect of young people taking a number of low level vocational courses that do not lead to employability skills and therefore to financial independence. Even Foundation level courses for the most disabled young people must have an element of developing independence and the acquisition of functional literacy, numeracy and life skills that clearly demonstrates progression towards outcomes and access to FE should not be utilised as an alternative to Adult Care Services.  There are excellent resources and guidance available via the national Preparing for Adulthood website which has been developed in partnership with the Department for Education | **All General FE Colleges should be able to provide some or all of the following opportunities**  **Study programmes**  Schools and colleges are expected to design study programmes, which will enable the student to progress to a higher level of study, study English and Mathematics, and participate in meaningful work experience and non-qualification activity. All further education providers must offer a set number of guided learning hours per year at the end of which the young person should have gained accreditation. The annual guided learning hours are equivalent to the teacher led time in a school 6th form i.e. 16 hours a week on average.  **Work based study programmes**  For students with SEN, who have an EHC plan, whose needs prevent them from taking qualifications, their study programme should focus on high quality work experience and a non-qualification activity which will prepare them for employment, independent living, being health adults and participating in society. The majority of young people with SEN are capable of sustainable employment with the right preparation and support. The colleges that offer courses, which are designed to provide pathways to employment, should have a clear focus on preparing student with SEN for work, including identifying the skills that employer’s value and helping young people to develop those skills.  The most effective ways to prepare young people with SEN for employment is to arrange work based learning that enables them to have first-hand experience of work. Including:   * Apprenticeships - young person can retain their EHC plan whilst on an apprenticeship.   Traineeships - young people aged 16-23 who are qualified below Level 3. Traineeships last a minimum of 6 months and offer;   * Work placement * Work preparation training * English * Mathematics (where students have yet to achieve a Grade C GCSE * Other training. A young person can retain their EHC plan whilst on a traineeship. * Supported Internships - structured study programmes specifically for young people with an EHC plan. The young person will be based primarily with an employer. The internship is unpaid and will be for a minimum of 6 months.   **Five day a week study programmes**  For young people who have an EHC plan, the LA should consider the need to provide a full package of provision and support across education, health and social care that is spread across 5 days a week which is appropriate to meet the young person's needs.5 day packages of provision and support for a young person with an EHC plan does not have to be at one provider and can be a combination of time at different providers and in different settings. It may include periods outside education institutions with appropriate support, including time and support for independent study. A package could also include non-educational activities such as volunteering or community participation, work experience and opportunities that will equip young people with the skills to make a successful transition to adulthood. These skills could include independent travel training or skills for living in a semi-supported or independent accommodation. It could also be training to enable the young person to develop a circle of friends and or support to access facilities in the local community. Health and care related activities, such as physiotherapy can also be included. |
| **CiC accessing Higher Education**  Young people wishing to attend Higher Education (University) after leaving school an EHC Plan cannot be maintained or requested. Disabled students and those with SEN can apply for a Disabled Students Allowance (DSA) to support their educational needs. Any Social Care needs will be assessed by Adult Social Care. Information about DSA is available from <https://www.gov.uk/disabled-students-allowances-dsas> | |
| **Five day a week study programmes**  For young people who have an EHC plan, the LA should consider the need to provide a full package of provision and support across education, health and social care that is spread across 5 days a week which is appropriate to meet the young person's needs.5 day packages of provision and support for a young person with an EHC plan does not have to be at one provider and can be a combination of time at different providers and in different settings. It may include periods outside education institutions with appropriate support, including time and support for independent study. A package could also include non-educational activities such as volunteering or community participation, work experience and opportunities that will equip young people with the skills to make a successful transition to adulthood. These skills could include independent travel training or skills for living in a semi-supported or independent accommodation. It could also be training to enable the young person to develop a circle of friends and or support to access facilities in the local community. Health and care related activities, such as physiotherapy can also be included. | |
| **Ceasing to maintain EHC Plans** | |
| The EHC Service can cease to maintain an EHC Plan where:   * It is no longer responsible for the child or young person, e.g., if they have moved to another Local Authority * It decides that special educational provision is no longer needed * A young person aged 16 or over takes up paid employment (including employment with training but excluding Apprenticeships) * The young person enters Higher Education * A young person aged 18 or over leaves education and no longer wishes to engage in further learning. | Where there is consideration of ceasing to maintain a child or young person’s EHC Plan it must:   * Inform the child’s parent/ carer or the young person in writing * Consult the child’s parent/carer or the young person * Consult the school or other institution that is named in the EHC Plan   Where, following the consultation, the decision is to cease to maintain the child or young person’s EHC Plan, it must notify in writing the child’s parent/ carer or the young person and the institution named in the child or young person’s EHC Plan, of that decision. |

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| **Disagreements and appeals** | |
| There may be times where not all parties are in agreement about the contents of an EHC Plan or any decisions related to whether or not to start an EHC Needs Assessment. The CAF2014 makes provision for foster carers to make an appeal on behalf of the child they are caring for however as with all cases cares are encouraged to seek a meeting with the EHC Case Co-Ordinator to raise their concerns first. | While legally a SW can make an appeal against the EHC Service it would create a situation whereby GCC is both the appellant and the defendant at the same proceeding. Therefore in all cases it is better to make contact with the EHC Service to resolve disagreements informally and in the spirit of all GCC employees having a role as corporate parent. |
| The SEND Code of Practice 2014 made it a right to request formal mediation where disagreements cannot be resolved. However as within GCC all Children’s Services are trained in Restorative Approaches it would be best practice to initially request a third party facilitates a restorative conversation between all parties. This can be organised from within GCC | |
| **Frequently asked questions** | |
| My CiC has been asked to stay home from school, what rights do I have to challenge this? | Part time timetables are not legal but there are times where it is in the child’s best interest to have a personalised approach to their education which may include a reintegration into school in a planned and well managed way and must include a timeline agreed by all as to when the child will have achieved full time attendance. The Education Inclusion Service can advise and support with regards to this |
| What if I feel my CIC needs an EHCP? | First of all think about what an EHC Needs Assessment will achieve. Is the child not having their needs met by the school? If so talk to the Designated Teacher and SENCo at the child’s school. Together review the My Plan + over time and consider whether the strategies that have put in place are effective? Has anyone asked the child whether they feel they ways they are supported in school are good for them or do they feel uncomfortable with some of the strategies used? Children are experts in how they like to learn and often have a different perspective but it is important to involve them in having a say in how their needs are met in a classroom setting. The Request for Assessment form and associated guidance available at <https://www.gloucestershire.gov.uk/schoolsnet/your-pupils/special-educational-needs-and-disabilities-send/sencospot/gloucestershires-send-graduated-pathway/> can help you and everyone supporting the child to reflect on what has been done and what could or should be done before submitting the request. |
| What if I want my CIC to move from a mainstream school to another mainstream? | If they DO NOT have an EHCP you complete an in year admissions form.  <https://www.gloucestershire.gov.uk/education-and-learning/school-admissions/applying-for-a-school-place-during-the-school-year/>  You can ring admissions on 01452 426015  If they **DO** have an EHCP any move has to go through the EHC Service. The SENCO calls an emergency review ideally inviting the relevant EHC Case Co-Ordinator to attend also. The Annual Review documentation is then sent to the EHC Service and they consult with your chosen school, sending out details of the EHCP plan to see if the new school can meet the child’s needs. The school has 15 days to respond to this consultation. If the school says they cannot meet needs, the EHC Service will meet with the school to discuss how they can adapt in order to meet the needs of the child requesting a place. However the expectation is that every school should prioritise the needs of CiC and make all reasonable adjustments to offer a smooth and well managed transition. The EHC Service does understand that at times a CiC will have to move placement at short notice and in these cases please contact the Lead Case Co-ordinator for the area in which the CiC currently attends school. It is not possible to place a CiC with an EHC Plan in another school without the statutory consultation period of up to 15 days but the Lead Case Co-Ordinator may be able to expedite the process where possible. It may also be possible in an emergency to call the annual review retrospective to the move.  Each school is allocated an EHCP co-ordinator within the service and the Lead co-ordinators are below if you want to find out more about the process  Cheltenham – Natalie Taylor  Forest – Jess Breeden  Gloucester South – Shahina Bhaiyat  Gloucester North- Becs Welch  Stroud- Charlotte Roberts  Cotswold – Theresa Smith |
| What if I want my CIC to go to a special school? | A child can only access this provision if they have an EHCP. Specialist provision is for children with the most complex needs and before considering a specialist setting every thought should be given to why a CiC should not have their needs met in an inclusive mainstream and inclusive setting. While the law states that a parent or corporate parent may express a preference for a special school it is the Local Authorities decision as to whether that is the best placement to meet needs. The EHC Service will always be part of discussions to help you think through options and decide what will meet a child’s needs best. Special Schools cannot offer placements to parents or SWs without a formal consult from the EHC Service. Similarly an Independent School whether Special or Mainstream cannot offer a placement directly to a SW. |
| What Special schools could my CIC go to in Gloucestershire? | <https://www.gloucestershire.gov.uk/schoolsnet/your-pupils/special-educational-needs-and-disabilities-send/sencospot/senco-toolkit/special-schools/> |
| What if I want my CIC to go to an independent education provider? | This will only be considered if needs cannot be met by the local authority schools and providers. SEN will lead this in liaison with commissioning. The same process of consulting school to see if they can meet the child’s needs will take place. |
| What if my CIC with an EHCP is at a school out of county? | If your child attends a school that is outside of Gloucestershire borders due to their care placement being out of county the EHC Service retains responsibility for the funding of any resources in their EHC Plan. The EHC Service also retains statutory responsibility for ensuring that the EHC Plan is maintained and reviewed annually although it may request the host LA undertakes this on our behalf as a reciprocal arrangement. If your child is placed out of county but close to home i.e. a neighbouring county the EHC Service may choose retain the maintenance of the Plan itself and not delegate the responsibility. In all cases the EHC Service will alert their counterparts in the host Authority as they have a duty to inform that service whether they are being asked to maintain the EHC Plan or not  It is worth noting that the counties where the highest numbers of children’s homes are also often those with the most limited numbers of suitable schools. Areas such as Devon and Cornwall have limited specialist education settings but high numbers of CiC. This frequently results in care providers offering home tuition in the home setting or offering education in their own registered schools. For some CiC the consistency of a home and school being run by the same body can offer a sense of security but for others the lack of a clear split between the two is a concern and can lead to difficulties. Therefore the alignment of reviews s important to ensure that a CiC has opportunities to share their views about their education and care separately with the adults taking a holistic view of how needs are being met in the round.  If the CIC has a 52 week residential placement in a different county, Gloucestershire retains the responsibility for their EHCP. Please also note that the Education element of the placement will be registered and inspected separately to the Children’s Home. The EHC Service will not name a school setting that is less than Good as rated by Ofsted for a CiC so when considering residential placements please consider the Ofsted rating of the school separate to the home.  Social workers should attend the annual EHCP review. |