



Cognus

No Limits on Learning

SPCF Coffee Morning Part 2 - 20 Week Process

15th March 2022

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Agenda

- Foundations an EHCP builds on
- Process
 - Request for EHCNA
 - Request to issue
 - Panel Composition
 - Documentation
 - Next Steps Meetings
- Roles & Responsibilities
- Questions

Foundations

Building on Quality First Teaching

- “Schools must use their **best endeavours** to make sure that a child with SEND gets the support they need.” SEND Code of Practice 2015.
- “The **EHC needs assessment** should **not** normally be **the first step in the process**, rather it should follow on from planning already undertaken with parents and young people in conjunction with an early years provider, school, post-16 institution or other provider. In a very small minority of cases children or young people may demonstrate such significant difficulties that a school or other provider may consider it impossible or inappropriate to carry out its full chosen assessment procedure. “ S9.3 COP
- “**High quality teaching**, differentiated for individual pupils, is the first step in responding to pupils who have or may have SEN. Additional intervention and support cannot compensate for a lack of good quality teaching. Schools should regularly and carefully review the quality of teaching for all pupils, including those at risk of underachievement. This includes reviewing and, where necessary, improving, teachers’ understanding of strategies to identify and support vulnerable pupils and their knowledge of the SEN most frequently encountered.” S6.37 COP

Foundations (Cont.)



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Building on Partnership work

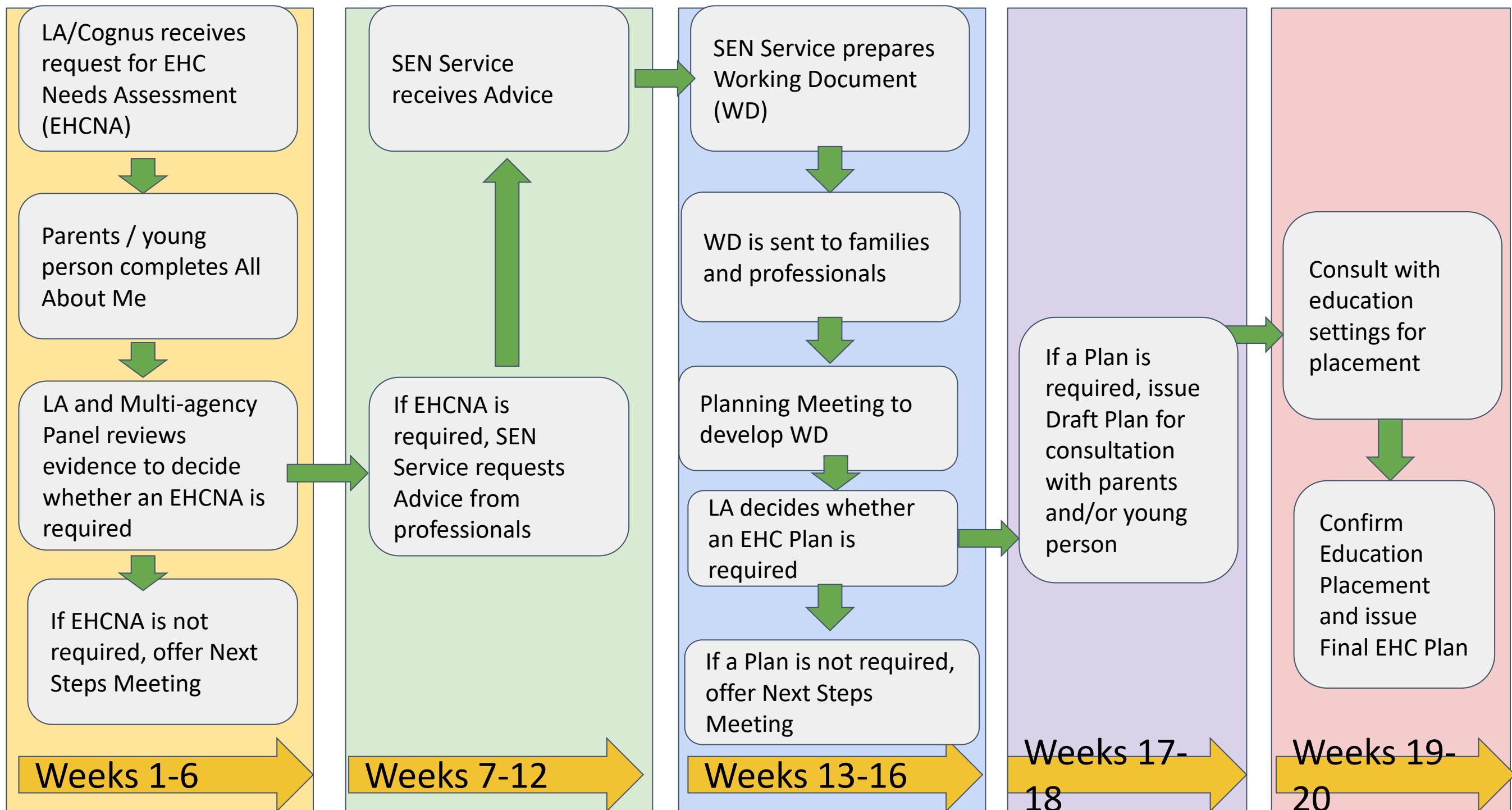
- Should coordinate a partnership approach to meeting children and young people's needs
- Where children and young people also have SEN, their provision should be planned and delivered in a co-ordinated way with the healthcare plan. S6.11 COP

Building on SEND Support Plan

- Also called IEP (Individual Education Plan) or Passport or Inclusion Plan
- Should have 4 main areas
 - Pupil's views, aspirations, strengths and wishes
 - Barriers to learning (SEN)
 - Provision to meet those needs
 - Outcomes sought
- Should be reviewed with pupil and parent/carer termly

Graduated Approach

“Where a pupil is identified as having SEN, schools should take action to remove barriers to learning and put effective special educational provision in place. This SEN support should take the form of a four-part cycle through which earlier decisions and actions are revisited, refined and revised with a growing understanding of the pupil's needs and of what supports the pupil in making good progress and securing good outcomes. This is known as the **graduated approach**.” S6.44 COP



Legislation – legal test when considering requests for EHCNA

Section 36.8 CFA. 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 –

- a) The child or young person has or may have special educational needs, **and**
- b) It may be necessary for special educational provision to be made for the child or young person in accordance with an EHC plan.

Legal test when considering requests for EHCNA (2)

9.14 In considering whether an EHC needs assessment is necessary, the local authority should consider whether there is evidence that despite the early years provider, school or post-16 institution having taken relevant and purposeful action to identify, assess and meet the special educational needs of the child or young person, the child or young person has not made expected progress. To inform their decision the local authority will need to take into account a wide range of evidence, and should pay particular attention to:

- evidence of the child or young person's **academic attainment** (or developmental milestones in younger children) and rate of progress
- information about the nature, extent and context of the child or young **person's SEN**
- evidence of the **action already being taken** by the early years provider, school or post-16 institution to meet the child or young person's SEN
- evidence that where **progress** has been made, it has only been as the result of much additional intervention and support over and above that which is usually provided
- evidence of the child or young person's physical, emotional and social development and health needs, drawing on relevant evidence from clinicians and other health professionals and what has been done to meet these by other agencies, and
- where a young person is aged over 18, the local authority **must** consider whether the young person requires additional time, in comparison to the majority of others of the same age who do not have special educational needs, to complete their education or training. **Remaining in formal education or training** should help young people to achieve education and training outcomes, building on what they have learned before and preparing them for adult life.

9.15 A young person who was well supported through the Local Offer while at school may move to a **further education (FE) college** where the same range or level of support is not available. An EHC plan may then be needed to ensure that support is provided and co-ordinated effectively in the new environment. It may also be the case that young people acquire SEN through **illness or accident**, or have an existing condition that requires increasing support as they get older.

Legal test when considering requests to issue an EHCP

9.53 Where, in the light of an EHC needs assessment, it is **necessary** for special educational provision to be made in accordance with an EHC plan, the local authority **must** prepare a plan.


9.54 In deciding whether to make special educational provision in accordance with an EHC plan, the local authority should consider all the information gathered during the EHC needs assessment and set it alongside that available to the local authority prior to the assessment. Local authorities should consider both the child or young person's SEN and the special educational provision made for the child or young person and whether:

- the information from the EHC needs assessment confirms the information available on the **nature and extent of** the child or young person's **SEN** prior to the EHC needs assessment, and whether
- the **special educational provision** made prior to the EHC needs assessment was well **matched** to the SEN of the child or young person

9.55 Where, despite appropriate assessment and provision, the child or young person is not **progressing**, or not progressing sufficiently well, the local authority should consider what further provision may be needed. The local authority should take into account:

- whether the **special educational provision required** to meet the child or young person's **needs can reasonably be provided from within the resources normally available** to mainstream early years providers, schools and post-16 institutions, or
- whether it may be necessary for the local authority to make special educational provision in accordance with an EHC plan.

Panel Composition

- **Health** - DMO/DCO/SEN Nurse
 - **Social Care** – All Age Disability Service or Locality Team managers
 - **Education**
 - Schools (Headteacher and / or SENCo)
 - Educational Psychology
 - Therapy lead
 - Head of SEN Support
 - Early Years Team / Physical and Sensory team / ASD lead
 - Head of SEN (chair)
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Documentation

- Support to complete the EHCNA request can be sought from SIASS - www.siass.co.uk SIASS can be contacted on **0208 323 0462** or via email at sutton@siass.co.uk
- All documentation should be submitted to sen.team@cognus.org.uk
- The SEND Panel Clerks collate all documentation received and refer it to the SEND panel. In the case of parental requests we may request additional information from the school
- Provision map
- Consultation process with educational settings between draft and final EHCP
 - 9.79 If a child's parent or a young person makes a request for a particular nursery, school or post-16 institution in these groups the local authority **must** comply with that preference and name the school or college in the EHC plan unless:
 - it would be unsuitable for the age, ability, aptitude or SEN of the child or young person, or
 - the attendance of the child or young person there would be incompatible with the efficient education of others, or the efficient use of resources

Next Steps Meetings (NSM)

- Why a NSM?
- Is it statutory? Is it mandatory to attend?
- What will happen at the NSM?
- Who will attend?
 - NSM following decision not to initiate an EHCNA
 - NSM following decision not to issue an EHCP
- Will there be minutes?
- How long will it take?
- Does it affect my right to appeal the decision?

Roles & Responsibilities

• SEND Service

- Approx. 3.7% of CYP have an EHCP
- Coordinate statutory processes
- No qualifications as EP, SLT, OT
- 2021
 - 390 requests for EHCNA actioned
 - 204 new EHCP created

• Spirit of the Law

- 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 SEN
- a focus on **inclusive practice** and removing barriers to learning
- successful **preparation for adulthood**, including independent living and employment

Questions?

