

SEN factsheet

What additional support is available for my child/young person?

If your child / young person (CYP) has special educational needs (SEN), additional support is available for them. This support should be targeted and specific so that it caters for your CYP's needs, enables them to reach set targets and outcomes and be monitored and reviewed to ensure that it is providing for those needs.

The following is addressed to parents of children and young people but is intended as guidance for anyone involved, including the young person themselves. "Young people" is a phrase the Children and Families Act 2014 has introduced which means a person between 16 – 25 years of age, in education and with mental capacity.

Children aged 0-5

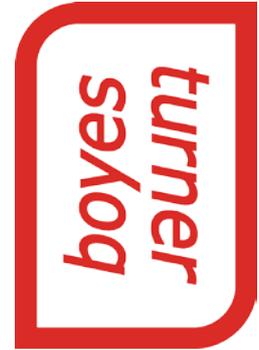
All state maintained nurseries are required to use their "best endeavours" to ensure that the SEN of children attending there are identified and met as quickly as possible. They are also required to have a detailed policy about SEN, to explain to you what support is being made available for your child and to prepare a report detailing how your child is being supported and how that support is being reviewed and monitored.

The local authority is responsible for ensuring that nurseries have sufficient funding and resources to support SEN. The Code of Practice requires that the local authority makes sufficient funding available for placements to provide the support they consider necessary.

All placements must ensure that they work with you closely and following the "assess, plan, do and review" approach.

Assess

This involves the placement working with you and the class teacher to observe any difficulties that your child may have. Progress should be monitored closely and if specialist assessment is required, the placement should secure it. If that assessment can only be completed by an external professional, your consent is required.



Plan

If the placement decides to make SEN support available, it should inform you of this decision. It should then work with you to decide the outcomes that should be sought and the support that will be provided to reach those outcomes.

Do

The placement will retain responsibility for implementing the support. This will normally be through your child's key person at the placement. The key person will also have the support of the placement's Special Educational Needs Coordination Officer (SENCO) to ensure day-to-day delivery of the support is happening effectively.

Review

You should meet with the key worker, SENCO and any other professionals who work with your child at school to discuss progress. The date for the meeting will be agreed during the 'plan' stage. During these meetings you will discuss any progress that has been made towards the outcomes and discuss what changed to the outcomes and what provision may be needed.

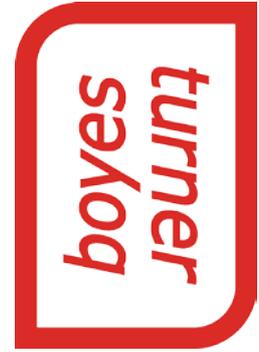
Children over 5 – "Additional SEN Support"

From 1 September 2014, CYP with SEN are supported by either "Additional SEN Support" or an Education, Health and Care Plan (EHCP). Your local authority will contribute to the preparation of the EHCP, whereas Additional SEN Support is solely the responsibility of your child's school.

The Additional SEN Support scheme requires that each pupil with SEN is generally entitled to receive up to £6,000 worth of funding from their school per annum. With this budget the school / college is expected to provide each CYP with the SEN support that they require.

If a school / college is providing as much intervention, support and/or therapy to a CYP that it can afford from this budget, but your CYP's needs call for additional support, it may be possible to seek an assessment of their needs by the local authority.

Your CYP's school / college should follow the same model of "assess, plan, do and review" as that required of nurseries (see above).



What if the nursery/school support is insufficient

If your CYP's SEN goes beyond that which can be supported by the school at Additional SEN Support then your local authority should assess your CYP's educational, health and social care needs. This is an Education, Health and Care (EHC) needs assessment.

Whilst £6,000 is available to support each child as Additional SEN Support, this is not a threshold to obtain an assessment. This means that you will not have to show that more than £6,000 worth of support is required in order to obtain an EHC needs assessment.

A request for an EHC needs assessment may be made to the local authority by you or the educational placement. Any other person may also inform the local authority that they believe that your CYP has SEN. Any request for an EHC need assessment should detail precisely what your CYP's SEN are, the difficulties they are having in school / college, the support they are receiving in school and evidence of the additional support that is required.

Within six weeks of receiving a request for an EHC assessment the local authority must decide whether to complete the assessment. A local authority should conduct an EHC assessment only if your CYP has or may have SEN and it may be necessary for special educational provision to be made for your CYP in accordance with an EHCP.

The purpose of the EHC assessment will be to establish what your CYP's learning difficulties are and whether this requires the additional support of an EHCP. If the local authority considers that additional support is required, it will issue an EHCP which will provide a detailed summary of the additional support your CYP needs in education, health and social care and can provide a budget for that additional support.

The request for an EHC needs assessment can be difficult to prepare and the legal test for whether the local authority should complete an EHC assessment is complex. Before sending any request to a local authority it is advisable that you seek specific legal advice.

If you have any questions or require advice, please contact the Special Educational Needs team on **0118 467 6547** or senexpertsolicitors@boyesturner.com.

This factsheet is provided free of charge for information purposes only, it does not constitute legal advice and should not be relied on as such. No responsibility for the accuracy and/or correctness of the information and commentary set out in the factsheet, or for any consequences of relying on it, is assumed or accepted by Boyes Turner LLP or any subsidiary, member, officer, employee, consultant or other agent of Boyes Turner LLP.