



Special Educational Needs & Disabilities

Statutory Assessment of Education, Health & Care Needs – a short guide for parents and young people in Sutton.

This information booklet has been devised to take account of changes to special educational needs and disability support following the Children and Families Act 2014. It draws on and summarises information from the new code of practice 'Special Educational Needs and Disability, a guide for parents and carers' published by the Department for Education in August 2014, available online at:

<https://www.gov.uk/government/publications/send-guide-for-parents-and-carers>

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Introduction

This guide aims to help you understand:

- What special educational needs and disabilities (SEND) are;
- What parents and carers can do if they are worried that their child may be having difficulties at, or before, they go to school;
- How parents and carers can help their child;
- What education settings, such as nurseries, schools and colleges can do to help children and young people;
- What local authorities and other services can do to help children and young people
- The rights of children and young people, and their families

Basic Principles

The basic points you need to keep in mind as you read this guide are:

- All children and young people with special educational needs and disabilities should have their needs met;
- The special educational needs of children and young people are normally met in mainstream (ordinary) education settings (nurseries, schools or colleges);
- Families' views should be taken into account and the wishes of the children and young people should be listened to;
- Families have a vital role in supporting their children's education
- Children and young people with special educational needs and disabilities should receive a broad, well-balanced and relevant education.
- At age 16 and beyond, young people become increasingly independent and may want to exercise more control over the support they receive for their SEN, so colleges, local authorities and other service providers are expected to communicate directly with young people over statutory school age. You should talk to your son or daughter and agree how best you can be involved and how much support they will need as they get older.

Parents or young people over 16 must be consulted about decisions that affect the child or young person – if you have any concerns or worries at any time, you should share them with your child's teacher, head teacher, SENCo or any other professional working with your child.

Special Educational Needs (SEN) and Disabilities – what does it mean?

A child or young person has SEN if they have a learning difficulty or disability which calls for special educational provision to be made for him or her.

A child of compulsory school age or a young person has a learning difficulty or disability if he or she:

- has a significantly greater difficulty in learning than the majority of others of the same age, or
- has a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions

Children and young people with SEN all have **learning difficulties** or **disabilities** that make it harder for them to learn than most children and young people of the same age. These children and young people may need extra or different help from that given to others.

The law says that children and young people do not have learning difficulties just because their first language is not English, although some of these children and young people may have learning difficulties as well.

Many children and young people will have SEN of some kind at some time during their education. Early years providers (for example, nurseries or childminders), mainstream schools, colleges and other organisations can help most children and young people succeed with some changes to their practice or additional support arranged by the setting. However, some children and young people will need extra help for some or all of their time in education and training.

Children and young people who have SEN may also have a disability. A disability is 'a physical or mental impairment which has a long-term (a year or more) and substantial adverse effect on their ability to carry out normal day-to-day activities.' This includes, for example, sensory impairments such as those that affect sight and hearing, and long-term health conditions such as asthma, diabetes or epilepsy.

The Equality Act 2010 requires that early years providers, schools, colleges, other educational settings and local authorities:

- must not directly or indirectly discriminate against, harass or victimise disabled children and young people
- must make reasonable adjustments, including the provision of auxiliary aid services (for example, tactile signage or induction loops), so that
- disabled children and young people are not disadvantaged compared with other children and young people.

Children and young people with SEN may need extra help because of a range of needs, set out in four areas:

- **Communicating and interacting** – for example, where children and young people have speech, language and communication difficulties which make it difficult for them to make sense of language or to understand how to communicate effectively and appropriately with others.
- **Cognition and learning** – for example, where children and young people learn at a slower pace than others of their age, have difficulty in understanding parts of the curriculum, have difficulties with organisation and memory skills, or have a specific difficulty affecting one particular part of their learning performance such as in literacy or numeracy.
- **Social, emotional and mental health difficulties** – for example, where children and young people have difficulty in managing their relationships with other people, are withdrawn, or if they behave in ways that may hinder their and other children’s learning, or that have an impact on their health and wellbeing
- **Sensory and/or physical needs** – for example, children and young people with visual and/or hearing impairments, or a physical need that means they must have additional ongoing support and equipment.

Some children and young people may have SEN that covers more than one of these areas.

What can young people or their families in Sutton do if they think that they may have special educational needs or disabilities?

Children and young people with SEN or disabilities will usually be able to get help from their early education setting, school, or college, sometimes with the help of outside specialists. This is often where SEN are first identified. If they do identify that a child or young person has SEN, the school or other setting must contact the parents or carers (or, if the young person is over 16, they might contact them directly) and should discuss what support to offer the child or young person. The setting **must** tell parents if they are making special educational provision for their child.

If a parent thinks their child has SEN, or a young person thinks he or she has SEN, they should talk to their early education setting, school, college or other provider. They will discuss any concerns, tell the parents or young person what they think and explain what will happen next. There are other sources of information, advice and support that parents and young people can access such as:

- their local authority’s Information, Advice and Support Service, (formerly known as the Parent Partnership Service), and the Independent Support Service.
- their doctor, or other local child health services

- charities and other organisations that offer information, advice and support. Parents and young people should be able to find information about these from their local authority's Local Offer (see section in this guide, The Local Offer).

If a child is not yet going to an early education setting (nursery or pre-school), or at school, parents can talk to their doctor or health visitor who will be able to give advice about the next steps to take.

If a parent or carer thinks that their child may have a special educational need that has not been identified by the school or early education setting, they should talk to the child's class teacher, or to the SENCO / Inclusion Manager (this is the person in the school or preschool who has particular responsibility for co-ordinating help for children with special educational needs) or to the head teacher straightaway. If a child is in a secondary school, their parents or carers should talk to the child's form teacher, SENCO, head of year or head teacher.

It is best to start with the child's teacher or the SENCO. Parents and the young person will be able to talk over their concerns and find out what the school thinks. The SENCO will be able to explain what happens next.

Working together with a child or young person's teachers will often help to sort out worries and problems. The closer that families and young people work with the teachers, the more successful any help for a child or young person can be.

Parents/Carers or young people might like to ask if:

- The school thinks that the child or young person has difficulties;
- The school thinks the child or young person has special educational needs;
- The child or young person is able to work at the same level as other children of a similar age;
- The child or young person is already getting some extra help; and
- How parents or families can help the child or young person.

Information, Advice and Support Service and Independent Support

In Sutton, the Information, Advice and Support Service (IAS Service) has been built upon the existing Parent Partnership Service. The Sutton IAS Service provides information, advice and support for children, young people and their families about SEN, disability, health and social care. The service is available from the time of initial concerns or identification of potential SEN or disabilities through to ongoing support and provision.

The Sutton IAS Service provides factual impartial and confidential information, legal advice and support. The service offers this face to face, by telephone and via an initial website enquiry. The service is able to offer support in individual casework. In addition the service can help in filling in forms and writing letters and preparing for and attending meetings. The service enables parents to make informed decisions and express their views about a child or young person's education, health and social care. All staff in the service has received independent legal training which is accredited by the Solicitors Regulation Authority. It can also offer support in resolving disagreements, including informal mediation and Tribunals.

Parents and young people may also wish to get help from an **Independent Supporter**.

The local authority can put parents and young people in touch with an **Independent Supporter**, which is a person recruited by a voluntary or community sector organisation to help families going through an EHC needs assessment and the process of developing an EHC plan. This person is independent of the local authority and will have received training, including legal training, to enable him or her to provide this support and can be given from the time of the initial statutory assessment request through to the EHC Plan being finalised. In Sutton the programme is delivered via the **Sutton Parents Forum**.

You can also ask your local Information, Advice and Support Service for more information about Independent Supporters. Information on this will also be in your Local Offer (see section in this guide, The Local Offer).

Information, advice and support services will often work with parents and children/young people together but must make sure they also provide a service directly and separately to children and to young people.

The Local Offer

Following the implementation of the Children and Families Act 2014, there is a statutory duty on every local authority to provide a "Local Offer". In Sutton, this gives information about local provision available across education, health and social care for children and young people who have special educational needs or who are disabled. This includes services from birth to twenty five years old.

The Local Offer also includes information about services provided outside the local area that local people may benefit from and use.

In LB Sutton, we have worked together with children and young people, parents and carers and with local services, including the voluntary sector, to develop our Local Offer. There is a feedback facility available and Local authorities must publish what children, young people and parents tell them about their Local Offer at least every year. They also need to explain what they will do about the comments they receive.

These comments should be used to inform decisions about the type of provision that local families want.

Sutton's Local Offer is available online at: <http://localoffer.sutton.gov.uk/>

The local authority also needs local schools, colleges, health services and other service providers to contribute to the development and review of the Local Offer. This is essential to make sure that the information in the Local Offer remains transparent and gives an accessible picture of the range of services available.

Meeting Special Educational Needs

The 0-25 SEND Code of Practice gives guidance to education settings, local authorities and anybody else that helps to identify, assess and provide help for children and young people with special educational needs. It sets out the processes and procedures that all these organisations should follow to meet the needs of children and young people. Local authorities must not ignore the guidance in the code. They must also take account of the Code when they write their SEN policies. You can view the 0-25 Code of Practice, online at:

www.gov.uk/government/publications/send-code-of-practice-0-to-25

SEN Support

If a child or young person has Special Educational Needs, they will be able to access help – called SEN school support – from their education settings. This replaces the support previously called school action/school action plus (in schools) and early years action/early years action plus (in early years settings).

SEN School Support is part of what is known as the 'graduated approach', which recognises that children learn in different ways and can have different kinds of levels of SEN. So increasingly, step by step, specialist expertise can be brought in to help the school with the difficulties that a child may have.

Parents must be contacted if the early years setting, school or college think their child needs SEN support. Parents can also approach their child's school or other setting if they think their child might have Special Educational Needs. Parents and young people will be actively involved and their views will be needed throughout the process, and parents and young people will be kept up to date with the progress made. Young people aged 16 to 25 will be fully involved in designing the set up of their own SEN support and provision.

The school must tell parents when they first start giving extra or different help for a child because the child has special educational needs. The extra or different help

could be a different way of teaching certain things, some help from an extra adult, perhaps in a small group, or use of particular equipment like a computer or desk with a sloping top. A child or young person might need help through the graduated approach for only a short time or for a number of years.

The education setting may use and share an Individual Education Plan (IEP) or a Provision Map to help monitor the support that a child or young person is receiving and the progress he or she is making.

The four stages of SEN support are:

1. **Assess:** The child or young person's difficulties must be assessed so that the right support can be provided. This should include, for example, asking parents and young people what they think, talking to professionals who work with the child or young person (such as their class teacher), and looking at records and other assessment information. This needs to be reviewed regularly so that the support provided continues to meet the student's needs. That might mean getting advice and further assessment from someone like an educational psychologist, a specialist teacher or a health professional.
2. **Plan:** The education setting needs to agree, with the parent or young person's involvement, the outcomes that the SEN support is intended to achieve – in other words, how the child or young person will benefit from any support they get – and the parent and/or young person needs to be involved with that. All those involved will need to have a say in deciding what kind of support will be provided, and decide a date by which they will review this so that they can check to see how well the support is working and whether the outcomes have been or are being achieved.
3. **Do:** The setting will put the planned support into place. The teacher remains responsible for working with the child or young person on a daily basis, but the SENCO and any support staff or specialist teaching staff involved in providing support should work closely to track the pupil's progress and check that the support is being effective.
4. **Review:** The support the pupil receives should be reviewed at the time agreed in the plan. The family and professionals can then decide together if the support is having a positive impact, whether the outcomes have been, or are being, achieved and if or how any changes should be made.

If young people or their parents and a school still disagree after they have talked, parents or young people are free to get help and support through the Information, Advice and Support Service (page 6 of this booklet).

Education, Health & Care Needs Assessments and Plans

The child or young person's school or other setting will often be able to meet the needs of children through their own SEN resources. But sometimes a pupil needs a more intensive level of specialist help that cannot be met from the resources available to schools and other settings to provide SEN support. In these circumstances, the young person, parents, school or other setting could consider asking the local authority for an Education, Health and Care (EHC) needs assessment for the child or young person. This assessment could lead to them getting an EHC plan. Some children and young people will have needs that clearly require an EHC needs assessment and plan and once the local authority is aware of them it should start this process without delay. Before referring a case for an EHC needs assessment, schools in Sutton will generally need to be able to demonstrate how they have utilised their SEN resources to address the presenting needs, across at least two school terms of intervention.

What is an Education, Health & Care (EHC) Plan?

An EHC Plan brings a child or young person's education, health and social care needs into a single, legal document. The child or young person must have long term and significant special educational needs to be eligible for a plan.

An EHC Plan ensures children and young people receive the support they need from Education, Health and Social Care Services. It outlines the needs and aspirations of a child or young person and their parents/carers, the desired outcomes that it is agreed to achieve with this extra support, and the provision or support required to meet those outcomes.

Requesting an Education, Health & Care (EHC) Assessment

A parent/carer, or young person if over the age of 16, can ask the local authority for an EHC needs assessment if they think the child or young person needs one. This may be because the education setting cannot provide all the extra help that the child or young person needs, or because the child is not making enough progress and so is falling behind other children of the same age.

Parents and young people should always talk to their teacher or the SENCO/ Inclusion Manager before asking the local authority (LA) for an assessment. They may want to ask the Information, Advice and Support Service for help with writing to the LA.

A request for assessment can be made in writing to the **SEN Team, The Grove, Carshalton, SM5 3AL**, and must include the child or young person's full name, date of birth, postal address, contact details for them or the parents, the name and

address of the education setting they attend, and should include an outline of why an assessment is being requested.

Anyone at the child's school (such as their teacher) can also ask for such an assessment process to be carried out. Others who work with a child can also tell the local authority if they think an assessment is needed (such as their doctor, health visitor or nursery worker). Schools have delegated resources for SEN such that they will generally be expected to have deployed resources up to the value of £6,000 for a pupil, before requesting an assessment.

Deciding whether to conduct an EHC Assessment

Once a request is received, the LA will ask for an Appendix A form to be completed by the child's family or the young person, and for an Appendix B form to be completed by the education setting, where possible. This information will be used to decide whether to initiate an EHC assessment, and will then go on to inform the EHC Plan if this is issued at a later stage.

The young person or parent/carer may wish to gather together all the reports and letters from their school or other setting, doctors' and any other assessments that have been produced. Remember, the LA is trying to get a picture of what the child or young person's needs are now, so it is helpful for them to receive copies of any diagnoses that are still relevant, and any recent, relevant information from the last 12 months. Parents may also want to write about their child's needs and how long they have had them.

This information will then be considered by a panel of professionals from different services, such as education and health, who will make a recommendation of whether an EHC assessment is necessary.

When the LA receives a request for an assessment, they will aim to give a decision within 3 weeks, and must notify families of a decision within a maximum of 6 weeks.

Additional Support Contract (ASC)

In some cases, when a request for assessment is made, the LA may decide that a child or young person does have identified special educational needs, which require provision that is different from, or additional to, what their educational setting would normally provide through SEN Support, but may not require a full EHC assessment. Instead, the LA enters into an Additional Support Contract (ASC) with the educational setting.

This means that the LA transfers a recommended level of additional funding into school/ setting / college's budget and the educational setting then meets with the

parents or young person to draw up the ASC, in order to identify required progress; and which will set out the desired outcomes for the child or young person, and the additional provision being put in place to enable them to achieve those outcomes.

Progress will be reviewed after this funding has been in place for one year. The educational setting can then apply for continuation of the funding if it is still needed.

If the parents/carers or young person disagree with the decision to issue an ASC, the LA would be able to discuss concerns, and the details of how to appeal against the decision are included in the local authority's correspondence.

The benefit of this ASC is that it allows the school to put extra support measures into place very quickly and flexibly, without the need to go through a full EHC assessment, which is up to a 20 week process. It is suitable for students whose needs are mainly educational, and may require medium-term funding to enable them to narrow the attainment gap between them and their classmates. It would not be suitable for students with more complex medical or social care needs, or those who are likely to require a specialist education setting or longer term input from professionals, such as therapists. It is not expected that an ASC would be used for more than 3 consecutive years; if support is still required after this point, it is likely that the LA would decide to conduct an EHC assessment.

Conducting an EHC Assessment

The assessment includes talking to family and the child or young person and finding out what support they think the child or young person needs, and what aspirations the child and their parents/carers, or the young person, have for his or her future. The assessment also includes seeking information and views from key people and services who are involved with the child or young person, such as class teachers, health practitioners and educational psychologists.

If the LA decides to conduct an assessment, the child's parents/carers or the young person will be notified in writing and any professionals involved with the child or young person will be asked to send any advice or information.

In Sutton, if an assessment is agreed, the following will happen:

- The child or young person will be invited to attend an appointment with the Community Paediatrician for a medical assessment. The child or young person may also need to see other practitioners to gather more information. This will give a complete picture of the child or young person's needs and how they should be met in school, or other setting, to help them make appropriate progress. The community paediatrician's report will summarise involvement from other health professionals, such as the health visitor.

- If the child or young person has not been seen by an Educational Psychologist recently, the young person, or the child and their parents, will be invited to meet with the Educational Psychologist to discuss their views and for an assessment.
- The assessment officer will ask for reports and evidence from the professionals who have been involved with the child or young person e.g. Paediatrician, speech & language therapists, consultants.
- These reports will be gathered as evidence along with the educational psychologist's report, and the information received from the school.

It is very important that the child or young person keeps any appointments made, so that the process is not delayed.

Planning Meeting

If the child or young person is attending an educational setting, that setting will be asked to arrange a Planning Meeting, and to invite all the professionals involved with the child or young person, as well as the parent and/or the young person. Parents and young people can choose to request that the LA put them in touch with an Independent Supporter, or a member of the Sutton IAS Service, or can choose to bring a family member or friend, or other supporter. A representative from the LA will also attend to record the recommendations of this meeting and to progress the securing of additional reports if necessary.

If all the professional advice is received in time, the LA will try to send a summary of this advice, in the format of an EHC Plan template, in advance of the Planning Meeting, so that the parents or young person, and professionals, can read through it before the meeting.

The purpose of this meeting is to discuss the key points and identify the child or young person's needs, and the provision that will be required to meet those needs in full. The parents and the young person do not have to attend, but this is a good opportunity to influence the provision that the child or young person will receive and how it will be delivered, and for parents/carers, children and young people to be involved in the co-production of an Education, Health and Care Plan.

This is also a good opportunity for parents or young people to discuss aspirations for future attainment and to notify the LA if they have a preference for a particular school or education setting, and if they have any suggestions for a personal budget (see the Personal Budget section of this booklet).

Deciding whether an EHC Plan is needed

After Sutton local authority has made its assessment, having involved young people and families fully in the process, the LA's Resources Panel will consider the assessment and the recommendations from the planning meeting; the LA will then decide whether or not an EHC plan is necessary.

If they decide that an EHC plan is not needed, they must tell families within 16 weeks of the date they received a request for an assessment and they will write to explain the decision.

In some cases, the LA may decide that an EHC Plan is not necessary, but instead enter into an ASC, as only medium-term funding and special intervention is likely to be required and the needs are not long-term. However, it is likely that most of these cases will be identified at the initial stage when assessment is requested.

If an EHC Plan is not issued, the young person or family will still receive copies of all the reports used, which will be useful for the school to plan the child or young person's programme of work. Parents and young people can discuss the decision with the case worker or assessment officer. If they disagree with the decision, details of how to appeal will be included in the decision letter. The Sutton IAS Service can also offer advice.

Preparing an EHC Plan

If the local authority decides to proceed with an EHC plan, it will incorporate recommendations made at the Planning Meeting and will work closely with the child or young person and their family to make sure the plan takes full account of their views, wishes and feelings. Once the plan has been written, a Proposed Plan will be sent which should at this stage, not contain the name of the school or other setting that the child or young person will attend.

Parents or young people will be given 15 days to comment on the Proposed Plan and they can ask for a meeting to discuss it if they want one. If they have not already done so at this point, they will also be able to request a specific school, or other setting, they want the child or young person to attend. This could be a mainstream school or special school.

On the Parental Response Form, parents/carers or young people can:

- Say if they agree with the Proposed Plan
- Say which school the child or young person would like to attend
- Request any changes they would like made

- Ask for a meeting with the SEN assessment officer if they do not agree with the Proposed Plan.

The parents or young person should reply within 15 days.

The Final EHC Plan

The local authority has 20 weeks from receipt of the request for the EHC assessment, to issue the Final Plan to young people or families. The EHC Plan comes into force on the day it is issued. It will then be reviewed at least every year (Annual Review) or every six months for children under age five.

When young people or families receive the Final EHC Plan, if they still disagree with the Plan, they can seek independent mediation arrangements at no financial cost, and they can also appeal to an independent Special Educational Needs and Disability Tribunal, and details of these options will be in the covering letter sent with the Plan.

The whole timeline process can be seen on the following page.



Schools – what is the difference between maintained, non-maintained, independent schools and Academies?

A maintained school and an academy are schools that are publicly funded. A non-maintained and an Independent School is any school which provides full time education for 5 or more pupils of compulsory school age and is not controlled or financed by a Local Authority.

What is an SEN base?

SEN bases are special provisions within a mainstream school where the children can be taught within separate classes or may involve some integration with mainstream classes. The bases receive additional funding from the local authority and cater for specific types of SEN e.g. hearing impairment or autistic spectrum disorders.

Amy Johnson Primary School Opportunity Base	For children with Learning Difficulties
Avenue Primary School Opportunity Base	For children with moderate Learning Difficulties
Bandon Hill Primary Wood Field –Oakfield ASD Base	For children with Autistic Spectrum Disorder who benefit from being taught in separate classes to mainstream
Foresters Primary School Opportunity Base	For children with Autistic Spectrum Disorder who can manage to integrate for part of their education in mainstream classes
Green Wrythe Primary School Opportunity Base – Rainbows	For children with Autistic Spectrum Disorder who benefit from being taught in separate classes to mainstream
Muschamp Primary School Opportunity Base	For children with speech and language difficulties
Rushy Meadow Primary School Opportunity Base	For children with hearing impairment
Thomas Wall Nursery – Dragonflies Base	For children with complex communication difficulties
Glenthorne High School Opportunity Base	For children with Autistic Spectrum Disorder who can attend a mainstream school
Greenshaw High School Speech and Language Base	For children with speech and language difficulties or communication impairment
Overton Grange High School Opportunity Base	For children with moderate severe or profound hearing impairment
Stanley Park High School – Department for Autism	<u>Agua</u> – For children with ASD who are able to integrate into mainstream school
	<u>Ignis</u> – For children with ASD who are unable to integrate fully into mainstream school
Cheam High School Post 16 Entry Level Group	For Post 16 young people with moderate learning difficulties

School Preference?

Sutton LA is committed to meeting every child and young person's needs. The LA's Resources Panel will look at evidence from parental views and professionals' advice and consider these carefully before making recommendations on provision.

Wherever possible, the LA seeks to place children and young people within their local community.

Further information about schools can be found in the local offer, at web address <http://localoffer.sutton.gov.uk/>. A parent or young person may express a preference for the school they would like and tell the LA the reasons. They can request a school, setting or college that is:

- A maintained nursery school
- A maintained school and any form of academy or free school (mainstream or special)
- A non-maintained special school
- A further education or 6th form college
- An independent school or independent specialist college approved by the Secretary of State for this purpose.

This can be either a mainstream or a special school. The LA must agree with the parent or young person's preference and name the setting in Part 4 of 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 with the efficient use of resources.

If a parent or young person suggests an independent or non-maintained school, the LA will consider their wishes carefully before making a final decision, but if there is a suitable maintained school, the LA has no duty to fund a place for the child or young person at such an independent or non maintained type of placement.

How do school applications work?

If a child or young person has a Statement of SEN or an EHC Plan, parents no longer apply for a school through the mainstream admissions process. However, if the EHC assessment process has begun but not yet completed, and the child or young person is at the age when their peers are applying through mainstream admissions, they should continue with the mainstream admissions process alongside the assessment process until a Final EHC Plan has been issued.

For those children or young people whose assessment process is completed, the parents or young person can name a preference and the SEN Resources Panel will recommend which education providers may be suitable; then the SEN assessment officer will consult with the schools they are advised to. The school has 15 days to respond, although this may be a longer period if it overlaps with school holidays.

For children or young people who already have Final Statements or EHC Plans, due to transfer to junior school or secondary school, all school applications will be made through the SEN team. For students due to transfer to secondary school, children and their families will be invited to information meetings about the process in the Summer of National Curriculum Year 5 and sent more information around this time.

Annual Review

At least every year, or every six months for children under five, the EHC Plan or Statement must be reviewed to monitor how effective it is. Early or interim reviews can be called if necessary.

The Annual Review is a meeting, normally held in the child or young person's educational setting. Everyone who is involved with the child or young person is invited to attend or send a report.

The education setting should then send copies of the written reports to those invited to the review meeting at least two weeks before it takes place. The education setting will also ask parents or the young person to contribute their views: this is their opportunity to raise any concerns or ask for anything to be explained and to comment on the child or young person's progress. Wherever possible, pupils should be encouraged to give their views for the Annual Review meeting.

The meeting will consider the child or young person's progress over the last twelve months and whether any changes need to be made to the Statement or EHC Plan. It will also be the time to set new targets for the coming year. It is an important opportunity for children and their families to share their views with the education setting and the SEN assessment officer.

Conversion of Statements to EHC Plans

For those students that already have a Statement of Special Educational needs, these will eventually be converted into an Education, Health and Care (EHC) Plan, if required. As the LA has many statements to convert, there is a 3 ½ year period, from September 2014 and transition times such as transferring from primary to secondary school, or moving on to college, will be prioritised.

The LA will contact the parents or young person to inform them that they intend to convert their statement into an EHC Plan, and the parents or young person will then be invited to a meeting to discuss the conversion and the desired outcomes for any new plan. This meeting may be incorporated into the Annual Review meeting. It may also be necessary for other professionals involved to conduct assessments to provide up-to-date advice for the conversion of the statement. Once the LA notifies families of their intention to convert an existing Statement to a Plan, they should complete the conversion process within 14 weeks.

As with any amendments to the statement, the parents or young person will be sent a Proposed Plan, and will have an opportunity to make any comments or request changes to this, and can request a meeting to be arranged by the local authority officer. The Final Plan will then be issued, naming the determined placement or provision.

Personal Budget

A personal budget is a sum of money to be used by the parents of a child, or by a young person over statutory school leaving age, who has an Education, Health and Care (EHC) Plan. It is used to make provision to enable the child or young person to achieve the outcomes set out in that Plan. It is not an addition to the funding of the Plan; it is an alternative way of funding elements of the Plan to allow greater flexibility.

Young people and parents/carers of children have the right to ask the local authority to prepare a personal budget at the completion of an EHC needs assessment. There will be further opportunities to request a personal budget at each annual review of the EHC Plan. Personal budgets are optional for children and young people; they do not have to take one. They are not means tested. However, if the young person is over 18 and part of the personal budget comes from social care, then the family may have to make a financial contribution. Personal budgets are not available to families of children who have special educational needs but who do not have an EHC plan.

Disagreement Resolution and Mediation

If parents/carers or a young person disagree with the LA's decision at any point, the LA will usually offer to meet with them, or the parent/carer or young person may wish to use the disagreement resolution or mediation services available from:

KIDS London SEN Mediation Service
7-9 Elliot's Place, London, N1 8HX
Tel: 020 7359 3635, Website:

www.kids.org.uk/mediation

Sutton IAS Service is able to offer informal mediation with the LA and can provide support in completing an application to the Tribunal.

From September 2014, before a parent or young person can appeal to the SEND Tribunal, they must have contacted a mediation adviser (unless the appeal is only about the school that the Local Authority has named in the EHC Plan or if the LA has not named a school). They will need a certificate from the mediation adviser to register an appeal with the SEND Tribunal. They have one month from receiving the certificate, or two months from the original decision, whichever is the later date, to register an appeal with the Tribunal. Mediation is a voluntary process for parents and young people. The costs are borne by the Local Authority. Further information is available in Sutton's Local Offer, at web address <http://localoffer.sutton.gov.uk/>, or from the IAS Service, or an independent supporter.

This document will be reviewed and updated as necessary in August 2015.