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## **The 0 – 25 Special Educational Needs and Disability Reforms**

### **Information for School Leaders**

The Children and Families Act 2014 changes the way children with special educational needs and disabilities (SEND) are supported. Building on best practice, the new SEND Code of Practice, which came into force on 1 September 2014, sets clear expectations on schools to deliver a whole school approach to SEN, with good quality teaching as a first response and a clear focus on outcomes. Teachers are at the heart of the new SEN support system, supported by the strategic role of SENCOs, with strong leadership from head teachers and governors.

The new approach places pupils at the centre of planning and makes teachers more accountable for their progress. Whilst the main legal duties on schools will not change; the way they will be met will. The reforms aim to join up support across education, health and care, from birth to 25. Help is to be offered at the earliest possible point, with children and young people with SEND and their parents fully involved in decisions about their support and what they want to achieve.

The reforms will impact on the whole school community and will give schools the freedom to develop what works for them, in partnership with the local authority, parents and young people. The greater emphasis on person-centred care will have important implications for how the planning process is delivered in schools and what role schools will play.

### **New SEND Code of Practice – Key points**

- Covers 0–25 age range
- Services across education, health and social care to be jointly planned & commissioned
- Education, Health and Care (EHC) plans to replace statements and Learning Difficulty Assessments (LDAs) with the option of a Personal Budget for families and young people who want one
- a clear and transparent 'Local Offer' of services across education, health and social care with children, young people and parents involved in preparing and reviewing it
- SEN Support and graduated response will replace School Action/Plus
- Stronger focus on:
  - high aspirations and on improving outcomes for children and young people with SEN

- accountability of class/subject teachers
  - participation of children and young people and parents
- new statutory rights for young people in further education, including the right to request a particular institution is named in their EHC plan and the right to appeal to the First-tier Tribunal (SEN and Disability), and
  - a stronger focus on preparing for adulthood, including better planning for transition into paid employment and independent living, and between children's and adults services

### **Expectation for schools**

The DfE expects schools to:

- have clear systems for identification, assessment, monitoring and securing appropriate support for children with special educational needs
- involve parents in a more structured and systematic way to shape the support their child receives
- be more transparent about what the school can provide
- ensure that high quality teaching, appropriately differentiated for individual pupils, is the first step in responding to possible special educational needs

### **The reform vision – what does success look like for schools?**

At a school level, success for the implementation of the reforms will be reflected in the overall performance of the school as demonstrated in key outcomes such as:

- Improved attainment and progression of pupils with SEN
- Increase in the percentage of KS4 and KS5 SEN cohort going to, or remaining in, Education, Employment and Training
- Reduction in the percentage of pupils with SEN receiving one or more fixed period exclusions
- Reduction in school absence of pupils with SEN
- Planned and well managed transition at key points

Success is also about parents, children and young people getting the right support at the right time and feeling that they are listened to and in control of their support, choices, decisions and opportunities.

### **Implementation of the Reforms – what schools need to do**

- Initiate review of the school's SEN policy, engaging governors, staff, parents and young people
- Publish the school's SEN Policy and information about SEN provision (SEN Information Report), as set out in the SEND Information Regulations

- Inform parents about the reforms and explain how the transition will happen
- Ensure all staff are aware of reforms and start essential training needs
- Engage with the LA in relation to the requirements, particularly in relation to the local offer and the process for transferring from statements to EHC plans
- Ensure the SENCO has the right qualifications and consider how they fit into the strategic management of the school and how they feed into strategic decisions
- Ensure arrangements are in place to support pupils with medical conditions (covered in separate DfE statutory guidance '*Supporting pupils at school with medical conditions*')
- Review and refresh processes for early identification and assessment of need to follow the graduated approach
- Review pupils formerly on School Action/School Action Plus, now at SEN Support, engaging the child and parent in decision making and planning. Be clear about the support that they need, what impact the support is expected to have, and by when
- Review and refresh procedures for effective engagement to ensure children, young people and their parents are involved in decision making and planning, and regularly engage parents in discussions about the progress of their child (at least three times a year)
- Ensure information is published regarding the arrangements for admission of disabled children, the steps taken to prevent these children being treated less favourably than others, the facilities provided to assist access, and their accessibility plans
- Review support for pupils with SEN with their transition to post 16 provision and preparing for adult life
- Consider workforce development needs

Governors understanding and involvement in the implementation of the reforms will help ensure schools are meeting the spirit of the Code and fulfilling their best endeavours duties. There should be a member of the governing body or a sub-committee with specific oversight of the school's arrangements for SEN and disability. School leaders should regularly review how expertise and resources used to address SEN can be used to build the quality of whole-school provision as part of their approach to school improvement.

In overseeing implementation of the reforms, the governing body should consider their strategic approach to meeting SEN in the context of the total resources available, including any resources targeted at particular groups, such as the pupil premium.

### **Transition from Statements and Learning Difficult Assessments (LDA)**

Children and young people who have statement of SEN, or receive provision in further education as a result of a LDA will be transferred to the new system gradually. LAs will be expected to transfer children/young people to the new system in advance of key transition points.

Young people in further education with a LDA will transfer to the new system by 1 September 2016, and children/young people with a statement of SEN will transfer by 1 April 2018. Transition arrangements, including a timeline of conversions, have already been distributed in Bury.

In order to ensure that support continues for these children and young people, the legislation relating to statements and LDAs will remain in force during the transition period.

### **SEN Support – the graduated approach**

SEN support is the new single category of support for children with SEN but who do not have EHC plans. It replaces School Action and School Action Plus, providing every child or young person with SEN, but not an EHC plan, with the additional support they need to progress at school. SEN support puts pupils at the heart of the provision, and encourages schools to respond more flexibly to pupils' needs.

The Code of Practice outlines a four part cycle of assessment, planning, implementing and reviewing for a child receiving SEN support. This is known as the graduated approach.

### **School Census – Recording of Information**

The DfE expects that schools will review their current cohort of pupils in the School Action and School Action Plus categories from September as they would normally. Any newly identified or reviewed pupils must be recorded under the SEN support category.

The department expects the review to be completed by the January 2015 census for most pupils on the assumption that most schools conduct reviews of SEN pupils within a term. However it is recognised that this may not be the case for all schools and a transitional period to the end of the spring 2015 term is provided to allow all conversions to be completed.

During the transitional period schools will be able to record pupils as having either 'S' (statement) or 'E'(EHC plan). Schools may have some pupils with statements and some who have already moved to EHC plans but no individual pupil can have both.

### **Support for pupils with medical conditions**

The reforms also place a duty on governing bodies to ensure that arrangements are in place in schools to support pupils with medical conditions. In doing so they should ensure that such children can access and enjoy the same opportunities at school as any other child. Arrangements should demonstrate an understanding of how medical conditions impact on a child's ability to learn, as well as increase their confidence and promote self care.

Governing bodies should ensure that school leaders consult health and social care professionals, pupils and parents in order to ensure that the needs of pupils with medical conditions are effectively supported. Staff should be properly trained to provide the support required. Governing bodies should also ensure

that the appropriate level of insurance is in place and appropriately reflects the level of risk.

The DfE has published statutory guidance for governing bodies on supporting pupils at school with medical conditions, which is available via the following link: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/306952/Statutory\\_guidance\\_on\\_supporting\\_pupils\\_at\\_school\\_with\\_medical\\_conditions.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/306952/Statutory_guidance_on_supporting_pupils_at_school_with_medical_conditions.pdf)

## **SEN Information Report**

The information required is set out in the Special Educational Needs and Disability Regulations 2014.

The SEN information report sets out information about the school's SEN policy and its implementation. Current arrangements should be published in September 2014. The information must be easily accessible by young people and be set out in clear, straightforward language. It should include information about named school contacts for situations where young people or parents have concerns. It should also provide details of the school's contribution to the local offer and must include information about where the LA's Local Offer is published.

## **Ofsted Inspections**

Ofsted inspectors consider the extent to which schools meet the needs of disabled pupils and those with SEN, using the four key judgements of achievement, quality of teaching, behaviour and safety, and the quality of leadership and management (including governor effectiveness). Inspectors evaluate the progress of all pupils, and when judging the achievement of pupils with a disability or SEN consider the progress they have made since joining the school.

### **Ofsted: What does good provision for children with SEND look like?**

- High aspirations for all students, including those who have SEND.
- Ensure those pupils in most need receive the most expert support
- Focus on enabling pupils to make the best possible progress, and to increase their independence, so that they are well prepared for their futures
- Leaders ask challenging questions about the progress and attainment of every pupil/young person. They use whatever information is available to compare pupils' progress against that of other pupils who started at the same level, at the same age, across the country. They ensure that teaching is strong, that staff meet the need of all pupils and provide well targeted challenge in lessons
- There is a very well understood view of how to help an individual become self-reliant and independent
- Ambitions and views expressed by the young people are taken into account when devising the curriculum and style of support

- The best schools that meet the needs of pupils with the most complex needs understand and make use of the community in which the children live, as well as the one in which they are educated.

### **Joint commissioning**

Schools should be involved in the commissioning process to influence decisions about commissioning provision for children with SEND generally and will need to be directly involved in commissioning provision for individual pupils.

### **Governor Training**

Bury will continue to provide regular training for SEN Link Governors to keep them up to date with these changes and the implementation of the Code. Further information regarding courses is available from the Bury Governor Training Group at [www.burygtg.org.uk](http://www.burygtg.org.uk)

### **Further information**

The LA will continue to update Governors regarding the implementation of the SEND reforms. The Code of Practice and Guidance for Schools are available via the following links:

The SEND Code of Practice:

<https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

Schools: Guide to the 0 to 25 SEND Code of Practice, Advice for school governing bodies/proprietors, senior leadership teams, SENCOs and classroom staff, September 2014:

[www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/349053/Schools\\_Guide\\_to\\_the\\_0\\_to\\_25\\_SEND\\_Code\\_of\\_Practice.pdf](http://www.gov.uk/government/uploads/system/uploads/attachment_data/file/349053/Schools_Guide_to_the_0_to_25_SEND_Code_of_Practice.pdf)