



Department
for Education

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Dear Teachers

NEW ARRANGEMENTS FOR SUPPORTING CHILDREN AND YOUNG PEOPLE WITH SPECIAL EDUCATIONAL NEEDS AND DISABILITIES

Last month the measures outlined in the Children and Families Bill were made law and it became the Children and Families Act 2014. The act includes changes to the support and services children and young people with special educational needs and disabilities will receive. These changes will come into force on 1 September 2014 and they affect all teachers. I therefore wanted to write to you with information about what this means for you and your pupils.

All children and young people are entitled to an education that enables them to achieve their best and leave school or college prepared for adult life, whether that's in higher education, training or employment.

The new code of practice

The way in which schools work with pupils, including those with special educational needs, has moved on considerably since the last code of practice was issued in 2001. The new 0 to 25 Special Educational Needs and Disabilities Code of Practice draws on the experience of parents, schools, colleges, councils and health care providers. It sets out a more individualised and better graduated response to support children and young people with special educational needs and disabilities.

From School Action and School Action Plus to SEN support

The new code makes it clear that additional intervention and support cannot compensate for a lack of good teaching. As such it reflects that high quality teaching, appropriately differentiated for individual pupils, is the first step in responding to possible special educational needs. For pupils that need special educational provision the code sets out the principle of a graduated response. This acknowledges that some children will benefit from specific support from the school or external experts (such as an Educational Psychologist or a Speech and Language Therapist). The categories of School Action and School Action Plus will no longer apply and will be replaced with a new system called special educational needs (SEN) support. The new approach is designed to ensure support is focused on individual need and personal outcomes rather than classifications.

Early identification and a single assessment

Schools will be expected to have clear systems for identification, assessment, monitoring and securing appropriate support for children with special educational needs. The code also requires schools to involve parents in a more structured and systematic way to shape the support their child receives and to be more transparent about what the school can provide. In particular the code places an emphasis on working with parents to agree and review the outcomes the support is intended to achieve rather than counting the hours or resources given to a child at school.

In practice most schools already use assessments and data effectively to review progress and shape teaching. For many schools the changes will primarily be about ensuring this process is informed by a good knowledge of special educational needs, and the relevant interventions, and involving parents in a more constructive and transparent way.

Reviews

Schools should review the support currently given to pupils on School Action or School Action Plus in light of the changes during the next school year. We would expect most reviews under the new approach to take place, in consultation with parents, by the spring term 2015. If new pupils are identified with special educational needs between now and 1 September you should continue to operate as you currently do. From 1 September onwards you must use the new system. The school census in January 2015 will not distinguish between School Action and School Action Plus, schools will simply be asked to record pupils as receiving SEN support.

From statements to education, health and care plans

For those with the most complex needs we are introducing a single birth-to-25 education, health and care (EHC) plan which will replace statements of special educational needs and Learning Difficulty Assessments. The EHC plan will place much more emphasis on personal goals and will clearly describe the support a child will receive across different services, including at school, to achieve these ambitions. The creation and delivery of these plans will be led by the local authority but schools must get involved in developing, delivering and reviewing these plans working closely with parents.

If any of your pupils already have a statement or Learning Difficulty Assessment they will be transferred by the council to an EHC plan within the next three and a half years. This is likely to be around transition points in a child's education, such as when they move from primary to secondary school, and you should be involved.

Funding

Some teachers have raised concerns about the funding available to schools to implement the changes. The recent funding reforms introduced a common approach for calculating special educational needs funding for schools across the country. The total amount of funding has not decreased in any local authority and overall there is at least as much money going into schools.

Next steps

We'll be issuing the final code of practice as soon as we can this spring. In the meantime the draft code can be used as a planning tool. School SEN Coordinators and headteachers should already be working with their colleagues, the council and local health and care providers to develop the 'local offer' and create the systems and partnerships needed to deliver the changes. We're also working with nasen to set up an online resource for teachers on the reforms which will include useful resources to help you. We expect this to be launched next month.

Involving parents

It's likely you are already speaking to parents about these changes but if not may I ask you to consider placing some information in your school newsletter. You could point parents to the open letter I have written to them or the Council for Disabled Children's parent guide.



EDWARD TIMPSON

Minister for Children and Families