

# Special Educational Needs and Disabilities 0-25



**A booklet for parents,  
carers and professionals**

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# Welcome

Stockton-on-Tees Borough Council's vision is that:

'Every single child in the Borough is important to us. So we are determined to give each and every one of them as many opportunities as we can to help them be the very best they can be in life'.

The Council is committed to making sure that all children with special educational needs or disabilities have their needs met.

Stockton-on-Tees Borough Council have identified that the gaps in progress and attainment for the vulnerable: disadvantaged children and young people, those with SEND and children in care - closing the gaps in progress and attainment is a major policy focus. Whilst this is a complex picture, we know that we have some major challenges in outcomes for children and young people with SEND.

This booklet is for any family or individual who wants to find out more. It has been co-produced by the Council and Stockton's Parent Carer Forum. The booklet has information about the law and also how the Council implements it.

Every child or young person is likely to take a different pathway and we hope the information in this booklet will help everyone through the journey.



Director of Children's Services

## Stockton's Local Offer



The Local Offer website gives useful information about support available for children, young people and adults up to 25 years old with Special Educational Needs and Disabilities (SEND 0-25). It includes information about what support is available and what parents, carers and young people might expect from school/education setting, the local authority, the health services and other local services.

The website can be viewed at [www.stockton.gov.uk/localoffer](http://www.stockton.gov.uk/localoffer)

The work of developing and improving the Local Offer is on-going - we know we have much more work to do. Views and feedback are always welcome throughout the development of the local offer website.

# Stockton Parent Carer Forum

DfE Recognised Parent / Carer Forum for Stockton Borough Council

Stockton Parent Carer Forum are the recognised DfE Parent Carer Forum (PCF) for Stockton-on-tees and was originally set up in 2008.

They are a group of parents and carers of children with Special Educational Needs (SEN) and disabled children aged 0-25 who work closely alongside Stockton Borough Council services including, education, health, social care and other service providers to make sure the services they plan, commission, deliver and monitor meet the needs of children and families.

Stockton Parent Carer Forum members ensure parents have a voice and do this through active participation.

## SEND Information, Advice and Support Service

Stockton's Special Educational Needs and Disability Information, Advice and Support Service (SENDIASS) is a free, impartial and confidential service. They provide advice, information and support on all matters relating to special educational needs and disabilities (SEND) to:

Parents/carers of children and young people with SEN or disability  
Young people up to the age of 25 with SEN or a disability

### **We can provide support in a variety of ways:**

- By telephone or email
- Individual casework
- Help with writing letters, reports and filling in forms
- Help with preparing and supporting at meetings
- Support during an Education, Health and Care (EHC) assessment
- Advice on school based support for children and young people with SEND who do not have an EHC Plan in place
- Advice on local policy and practice including the Local Offer, Personal Budgets, the law on SEN and Disability, Health and Social Care
- Support in resolving disagreements

**Contacts can be found on the last page of this booklet**

# What Changed?

This page gives an overview of the way the law works...

## Children and Families Act 2014

This is the law that governs the way in which decisions on support for children and young people with Special Educational Needs and Disabilities (SEND) are made. It has led to the SEND Reforms.

It particularly gives new timescales for processes and decisions. It also states that Education, Health and Social Care should work together as appropriate for the child or young person.

The legal document can be found here:

<http://www.legislation.gov.uk/ukpga/2014/6/part/3>

## Code of Practice

This is a large government document that tells councils, schools and everyone how the SEND Reforms are implemented. There are new procedures - and the emphasis is on Person Centred Planning, with the outcomes for the child or young person being at the centre of the decision-making (see p.12 of this booklet).

A copy of the Code of Practice can be found here: <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

The legal documents are long and complex, but are useful in giving very precise information. The Guide for Parents/Carers is a good place to start. The Government's Guide for Parents/Carers is available from their website:

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

Links to a variety of SEND government documents and Stockton-on-Tees Borough Council policies are available and can be found on the Local Offer at: [www.stockton.gov.uk/localoffer](http://www.stockton.gov.uk/localoffer)

# Special Educational Needs (SEN) Support



All children and young people are entitled to an education that enables them to:

- Make Progress
- Achieve their best
- Become confident individuals living fulfilling lives
- Make a successful transition into adulthood

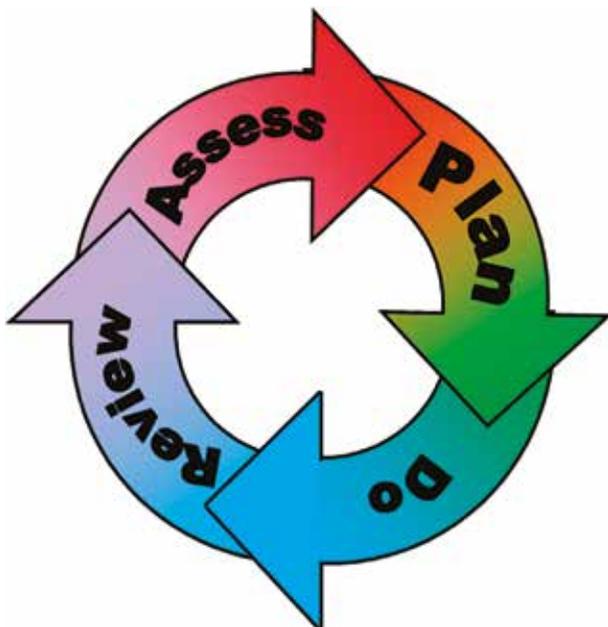
High quality teaching that is differentiated and personalised will meet the needs of the majority of children and young people.

Some children and young people need educational provision which is additional to, or different from this, because they have special educational needs (SEN). This is known as special educational provision.

Some children and young people with SEN can have learning difficulties or disabilities that make it harder for them to learn than most children and young people of the same age. They may need extra or different help.

Most children and young people with SEN will have their needs met in local mainstream early years settings, schools or colleges. These children and young people will be supported through the graduated approach known as SEN Support.

Schools and other education settings will have more information on their website.



# Education Health and Care (EHC) Assessments

Most children and young people with special educational needs (SEN) will have their needs met in local mainstream early years settings, schools or colleges. These children and young people will be supported through the graduated approach known as SEN Support (see page 6).

Children and young people with more complex needs may need more detailed assessment and may need an Education Health and Care (EHC) Plan. The EHC Plan replaced statements of special educational needs and Learning Difficulty Assessments (LDAs).

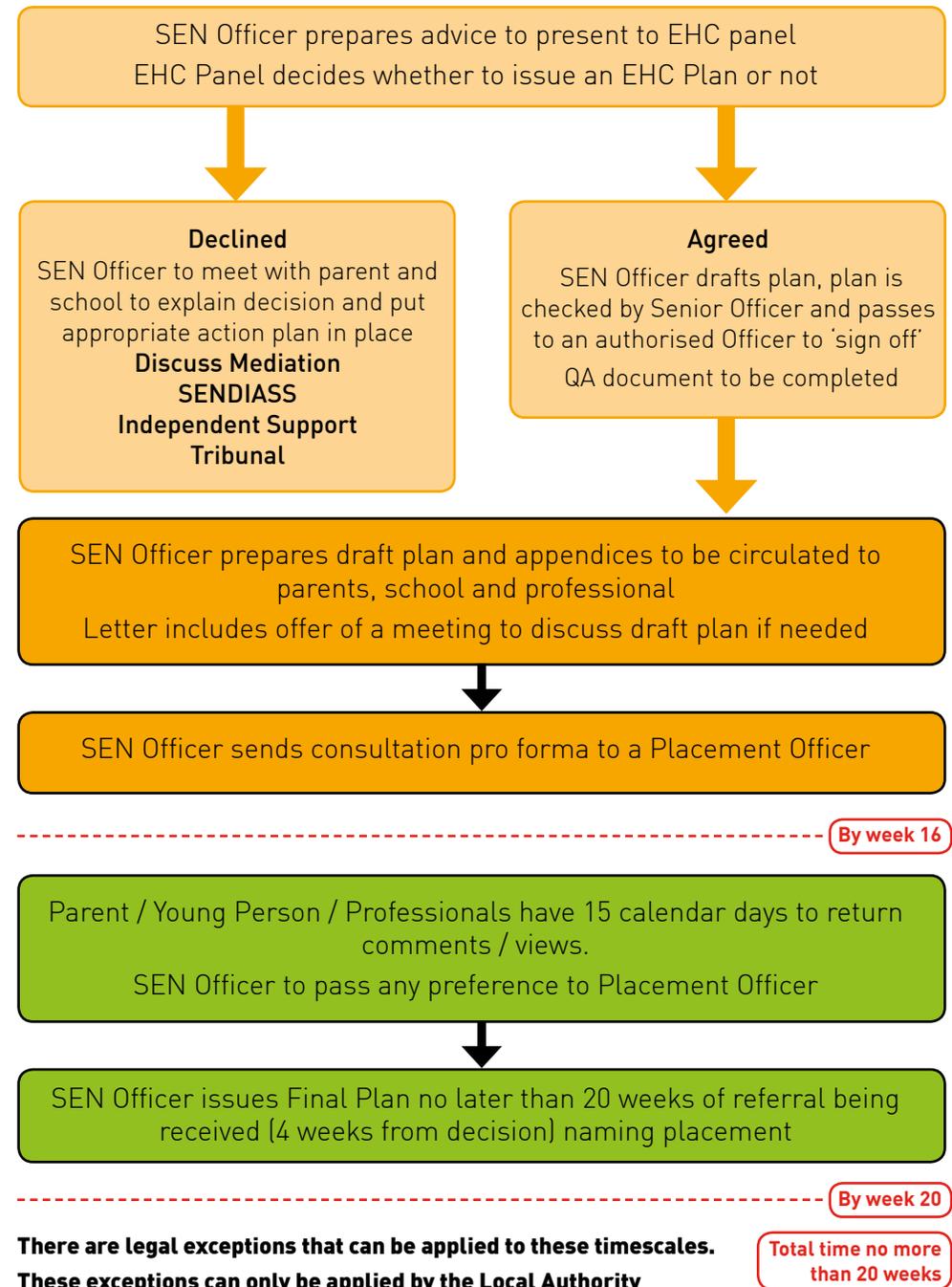
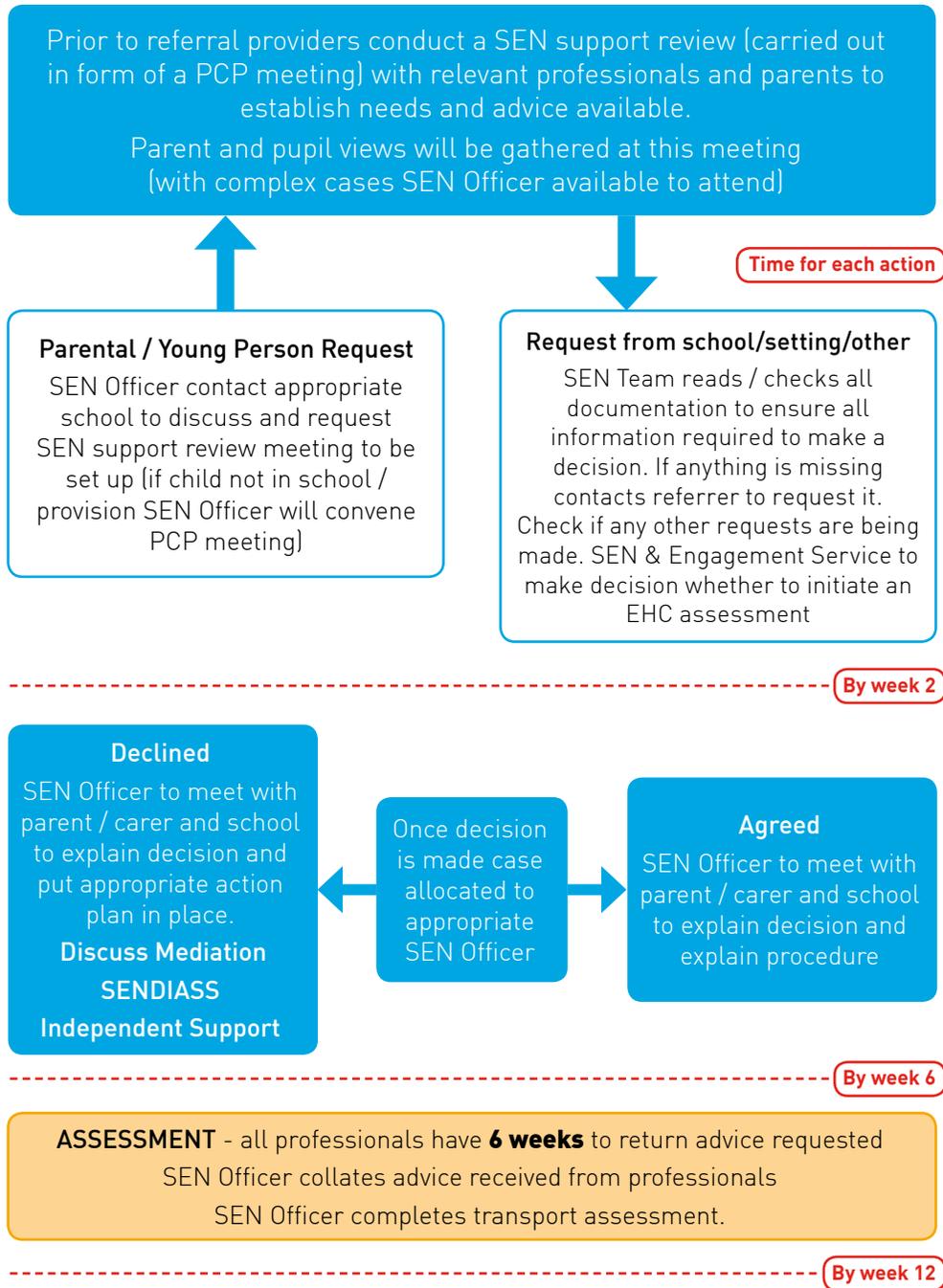
An assessment might be needed in order for the Local Authority to decide whether it needs to make provision in accordance with an EHC Plan. This Plan would then outline the specialist help that cannot be met from the resources normally available to mainstream schools and other education.

An EHC assessment may not always mean a child or young person receives an EHC Plan but it can provide extra information to help the education provider meet their needs.

- We would not necessarily expect a child or young person to need an EHC assessment or an EHC Plan to receive high needs top up funding in mainstream education including further education.
- We would also not necessarily expect them to need an EHC assessment or EHC Plan to access a place in one of Stockton-on-Tees' enhanced mainstream schools.
- A child or young person will need an EHC assessment and an EHC Plan if it is anticipated that they need to attend a special school or specialist setting (for example the Early Support Nursery). We will however consider each child or young person individually when making a decision about an EHC assessment or an EHC Plan.

The process for requesting and carrying out an EHC assessment and decisions about an Education, Health and Care Plan can be found on the Local Offer website [www.stockton.gov.uk/local\\_offer](http://www.stockton.gov.uk/local_offer)

# 20 Week Process - Education, Health and Care (EHC) Assessment



## Education Setting

SEN support  
Special Educational Needs  
Co-ordinator [SENCo]  
Parent Support Adviser [PSA]

## Funding

Parents should be clear about costs and funding.  
AN EHC Plan, families and Local Authority may decide that a personal budget is appropriate.

## Stockton's Local Offer

The website with comprehensive information.



# Person Centered Planning Support available to families

## Professional Support

Educational Psychologist,  
Health Visitor, SEN Officer,  
Youth Worker  
Social Worker, CAMHS

## Independent Support

SENDIASS  
Mediation and Conflict Resolution

## Service Providers

Stockton Borough Council  
Education Funding, Social Care  
Funding  
NHS Joint Commissioning,  
Voluntary / Community Services.

## Participation and Consultation

Local Authority & Stockton  
Parent Carer Forum

# Person Centred Planning

If an EHC assessment goes ahead, it will be co-ordinated by an Education, Health and Care Plan (EHCP) Assessment Officer. This will be a named person from the Local Authority to guide everyone involved through the process.

The assessment will take a person centred approach. This means that the child or young person is at the centre of the decision making process.

There will be meetings to which parents/carers, the child or young person will be invited, as well as relevant people working with the family.

Throughout the process there will be opportunities for parents/carers, the child or young person to contribute their views.



Person Centred Planning discovers and acts on what is important to a person. It is a process for continual listening and learning, focussing on what is important to someone now and in the future, and acting on this in alliance with their family and their friends.

# FAQs

## The Process

### What does an EHCP Assessment Officer do?

Their job is to make sure that the process is followed and they will also write up information provided by families and professionals. They will be able to answer your questions about the process. They are not there to make decisions or give advice, but to bring all the information together so that the Local Authority can make the decision.

### What is the EHC Panel?

This consists of representatives from Education, Social Care and Health. They consider all the information brought to them and to advise the Local Authority in making a decision about whether to proceed with an EHC assessment or Plan.

### What happens if I am on holiday?

The 20 week timescale is now the law, and this means that the Assessment Officer needs to keep everything moving forward. If part of the process happens when you are away, the Assessment Officer will update you on your return.

### What happens if I am not happy with the EHC Plan?

If a draft Plan is agreed, then you have 15 calendar days to comment and give your views. These can be incorporated into the final Plan. If you disagree with aspects of the final Plan, there are certain things that you can appeal. There is more information on what happens if you do not agree on the Local Offer.

### What happens if an EHC Plan is not agreed?

You will be told the reasons for the decision. The information gathered during the assessment will be available so that the appropriate support for your child can be put in place. If you disagree with the decision then there is an opportunity to appeal and this will also be explained to you.

# FAQs

## Person Centred Planning meeting

### Who will be at the meeting?

This will usually be you, your child/young person, the EHCP Assessment Officer and any other professionals involved.

### Who can attend the meeting?

You can request for anyone to attend that you think will help the process, or who will support you.

### When and where will the meeting take place?

The place and time needs to be suitable for you and also practical for everyone.

### What can I bring to the meeting?

You can bring anything that will help you in the discussion. This could be information, reports, examples, photos - anything really.

### What decisions will be made at the meeting?

Decisions about what to do next, and what additional information is needed. Decisions about whether to agree an assessment will not be made - the Local Authority does this.

### What happens after the meeting?

All the reports and news gathered will be sent to the Local Authority if this is the recommended outcome of the meeting.



# Personal Budgets

A child or young person with an EHC Plan may be eligible to access a Personal Budget. The EHC Plan should be clear about the amount of money available to be spent by the child/young person.

Personal Budgets are a new option for families - they do not represent additional funding, but could allow a family to have more control over how the funding is used. They can provide parents, carers and the young person with the decision-making power to select their own services. This more direct control of the resources may enable families to find solutions and support that work better for them. The funding may be used to purchase support, services and equipment.

Not everyone will want a personal budget and there is no statutory requirement for parents/carers or a young person to have one.

The family might discuss a Personal Budget at any time. However it can only be spent on anything that helps to meet the agreed outcomes of the EHC Plan. This means that a decision to allocate a Personal Budget would usually be made when the EHC Plan is being drawn up, or at the annual review.

In some circumstances, usually identified through the assessment process, the choice of taking a personal budget as a direct payment may not be available. This could be in relation to safeguarding concerns and/or issues around consent.

An easy to read fact sheet providing key SEN personal budget information is available and can be found on Stockton's Local Offer.

[www.stockton.gov.uk/localoffer](http://www.stockton.gov.uk/localoffer)



# Where the money comes from

A Personal Budget may be from one or a combination of the following funding sources.

A personal **Special Education Needs (SEN)** budget is the sum of money made available by the Council when it is clear that without this additional funding it would not be possible to meet the individual's learning support needs.

A personal **Social Care** budget is the sum of money made available by the Council if a child or young person (up to 25 years old) is assessed by Social Care as needing additional and individual support at home and when out and about in the local and wider community.

A personal **Health** budget refers to the budget made available by the Clinical Commissioning Group (CCG) should a child or young person (up to 25 years old) have health needs relating to an illness, disability or an accident which cannot be met by the existing services from Health.

If a Personal Budget is agreed for parts of the Education Health and Care Plan (EHC Plan) then these can be put together into one budget. For instance if a budget is not agreed from Health, but is agreed from Education and Social Care, then these amounts can be put together into one Personal Budget. Usually the family will discuss this with the EHC Plan Co-ordinator.

# How a Personal Budget might work:

There are 4 ways that a personal budget can be delivered.

1. Notional budget – No money changes hands. Services are arranged on the family's behalf by the local authority or health service.
2. Direct Payment – Money is paid directly to the young person/family and they pay for their agreed support.
3. Third party arrangement – A third party organisation, trust or nominated person holds the money and pays for agreed services on behalf of the young person.
4. A combination of the above.

In all cases the availability of a personal budget will be based on the support a child or young person (up to 25 years old) needs in order for them to achieve their agreed outcomes/support needs as specified in their EHC Plan.

Please note if a direct payment is requested and used to employ staff directly (i.e. a Personal Assistant) then the recipient will be responsible as an employer to abide by the current employment laws.

Personal Budgets are well established in Adult Services and many disabled children in Stockton-on-Tees access some or all of their social care packages via direct payments. Personal health budgets for children and personal budgets for SEN Support are new developments.

# What happens if I do not agree?

The new processes, which focus on making decisions through a person centred approach, should help to avoid disagreements. However if they do occur, the Local Authority and other services have procedures for resolving disagreements and complaints.

The SEND Code of Practice gives guidance regarding Disagreement Resolution and Mediation.

**Disagreement Resolution** is normally used early in the process and can be used whether the child or young person has an EHC assessment, EHC Plan or not.

In Stockton-on-Tees, Chapel Mediation Service provides an independent disagreement resolution service to parents and young people. The service can be contacted directly by telephone 01833 630306.

Parents and young people can use the complaints procedure instead of, or in addition to disagreement resolution.

**Mediation** is a different process to Disagreement Resolution.

Mediation arrangements are specifically linked to decisions about EHC assessment and plans. Parents and young people who wish to appeal to Tribunal may only do so after they have contacted an independent mediation adviser and discussed whether mediation might be a suitable way of resolving the disagreement.

The Mediation Service must be independent of Local Authorities and health commissioners and provided by trained mediators. In Stockton-on-Tees, Mediation is provided to parents and young people by Chapel Mediation Service. The service can be contacted directly by telephone 01833 630306.

More information can be found on the Local Offer and through the SEND Information, Advice and Support Service (SEND IASS).

# Tribunal: Registering an appeal with the Tribunal Service

## Parents and young people can appeal to the Tribunal about:

- Parents and young people have two months to register an Special Educational Needs appeal from the date the local authority sent the notice containing the decision, or one month from the issue of the mediation certificate, whichever is latest
- Accessing Mediation does not affect a parent or young person's right of appeal
- Parents and young people (16 years plus) can appeal about Education, Health and / or Care needs
- Assessments and the educational content of an Education, Health and Care Plan

## Parents and young people can appeal to the Tribunal about:

- A decision by a local authority not to carry out an Education, Health and / or Care Plan following an assessment; the description of a child or young person's Special Educational Needs specified in an Education, Health and Care Plan, the special educational provision specified, the school or other institution or type of school or other institution such as a mainstream school / college specified in the plan or that no school or other institutions is specified
- An amendment to these elements of the Education, Health and Care Plan
- A decision by the local authority not to amend an Education, Health and Care Plan following a review or re-assessment
- A decision by a local authority to cease to maintain an Education, Health and Care Plan

The Tribunal can decide to dismiss the appeal, order the local authority to carry out an assessment or make or maintain a plan. They can also order amendments to a plan or correct a weakness (e.g. missing information).

# Stockton-on-Tees Borough Council Disability Register

Registration is entirely voluntary, but the more information the Local Authority can gather about the needs of disabled children and young people, the better we can plan for services in your area.

**The 'disability register' is for anyone aged 0 to 17 who:**

- Has a learning difficulty, mental health, medical condition or a physical disability which substantially limits or prevent them from living and developing as other children of a similar age
- And lives in the Borough of Stockton-on-Tees, the form is available on the Local Offer or via the Council Family Information Service

[www.stocktoninformationdirectory.org](http://www.stocktoninformationdirectory.org)

It asks for straight forward information about the child and family, the education setting, the kind of special need/disability, and the services currently received.

If you do register, the Local Authority will be able to keep you informed, and will send you a quarterly newsletter.

# Useful Contacts for more information on SEND

## National

### Aspire Personalised Care Solutions

☎ 0191 3837430 / 0191 383743)

✉ enquiries@aspirepcs.com

[www.aspirepcs.com](http://www.aspirepcs.com)

### Contact a Family

✉ [www.cafamily.org.uk](http://www.cafamily.org.uk)

### Council for Disabled Children

✉ [www.councilfordisabledchildren.org.uk](http://www.councilfordisabledchildren.org.uk)

### Department for Education

✉ [www.gov.uk/government/organisations/department-for-education](http://www.gov.uk/government/organisations/department-for-education)

## Local

### Stockton Local Offer

✉ [sensation@stockton.gov.uk](mailto:sensation@stockton.gov.uk)

[www.stockton.gov.uk/localoffer](http://www.stockton.gov.uk/localoffer)

### Stockton SEN & Engagement Service Information Officer

☎ (01642 527217)

### Stockton SEND Information, Advice and Support Officer

☎ (01642 527158)

### Stockton Borough Council

☎ 01642 527225)

✉ [fis@stockton.gov.uk](mailto:fis@stockton.gov.uk)

[www.stockton.gov.uk](http://www.stockton.gov.uk)

### Stockton Parent Carer Forum

☎ 07935 447375)

✉ [stocktonparentcarerforum@gmail.com](mailto:stocktonparentcarerforum@gmail.com)

[www.stocktonparentcarerforum.co.uk/](http://www.stocktonparentcarerforum.co.uk/)

### Youth Direction

☎ 01642 677600)

✉ [youthdirection@stockton.gov.uk](mailto:youthdirection@stockton.gov.uk)

[www.stockton.gov.uk/childrenandyoungpeople/youthdirect](http://www.stockton.gov.uk/childrenandyoungpeople/youthdirect)

Individual education providers – search Local Offer and / or contact your school/college

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