

Bolton Parent Carer Consortium

Striving for a voice, choice and equality opportunity for families of Disabled children and young people aged 0-25 years

supported by the
Local Authority



The Send Reforms

What parent carers need to know and what they need to do



What happened

The Children and Families Act received Royal Assent in March 2014 (and became Law on 1st September 2014) and part of this Act changed the way in which children and young people with special educational need and disabilities (SEND) are supported in school and in the community. Bolton Local Authority has three years in which to make these changes, so you might not see any changes to your personal circumstances for a while.

The Children and Families Act: What's in it?

The Act responds to concerns parent carers have raised about the SEND system over the last few years. It includes some key principles to improve parent carer experiences.

These include:

- More participation
- Better outcomes
- Better joint working

More participation

The Act includes new responsibilities on local authorities and others to make sure parent carers and young people are much more involved in decisions that affect their lives. It also makes clear that local authorities and health partners should work with parent carers and young people to improve services across their local area, for

example through the parent carer consortium. boltonparentcarerconsortium@yahoo.co.uk or telephone 07909187121.

Better Outcomes

The Act requires Education, Health and Social Care services to look at how they support children and young people in a way that improves progress and supports the outcomes they want and need in their lives.

Better joint working

The Act requires services that families use, in particular Education, Health and Social Care to work more closely together and commission services together. This should improve the experiences of children, young people and their parent carers.

Education, Health and Care Plans (EHCPlans)

Will replace Statements of Special Educational Needs and Learning Difficulty Assessments (LDA's). This will help with better joint working between services and more participation for families. An EHC Plan is a detailed document that will take into account all the needs of your child. An EHC Plan will be based on the educational needs of children/young people, taking into account their health and social care needs in one document.

An EHC plan can continue to support young people up to the age of 25 years if the LA considers that the young person needs more time to complete their education or training. Therefore keeping an EHC Plan until the young person is 25 years old isn't a guarantee. If the educational needs of the child or young person ceases it is likely that the EHC Plan will cease as well.

What this means in Bolton for children with a Statement of SEN or an LDA

The government has given Bolton LA a 3 year time-scale to transfer Statements of SEN/LDAs to EHC Plans, so you may not see any changes immediately. The LA must publish a 'Transition Document' which explains how it is going to do this. Bolton's Transition Plan states, by year group, when the transfers to EHC plans will take place.

If you visit the following website; www.bolton.gov.uk/send you will be able to see the EHC Plan template for Bolton; please note that this will continue to evolve during the 'transition period'. This draft plan has been developed with the involvement of parent carer representatives. The LA has completed a small pilot to get to this point. If you have any questions regarding the EHC Plan please contact the parent carer consortium with your thoughts.

PLEASE NOTE

No one should lose their statement and not have it replaced with an EHC plan simply because the system is changing. Also young people who have an LDA and remain in further education or training during the transition period, who REQUEST and need an EHC plan will be issued with one.

SEN Support

Any support your child gets from their school or other setting should meet their needs. If your child has SEN they will be able to access help - called SEN support (replaces Early Years/School Action and Early Years/School Action Plus). SEN support is part of what is known as the 'graduated approach'. This approach varies in how it works depending on the age of the child e.g. it may work differently in a nursery than it will in a school. The graduated approach has four stages:

1

Assess

Your child's difficulties must be assessed so that the right support can be provided. This should include, for example, asking you what you think, talking to professionals who work with your child (such as their teacher), and looking at records and other information. This needs to be reviewed regularly so that the support provided continues to meet your child'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

Your school or other setting needs to agree, with your involvement, the outcomes that the SEN support is intended to achieve - in other words, how your child will benefit from any support they get - and you need 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.

3

Do

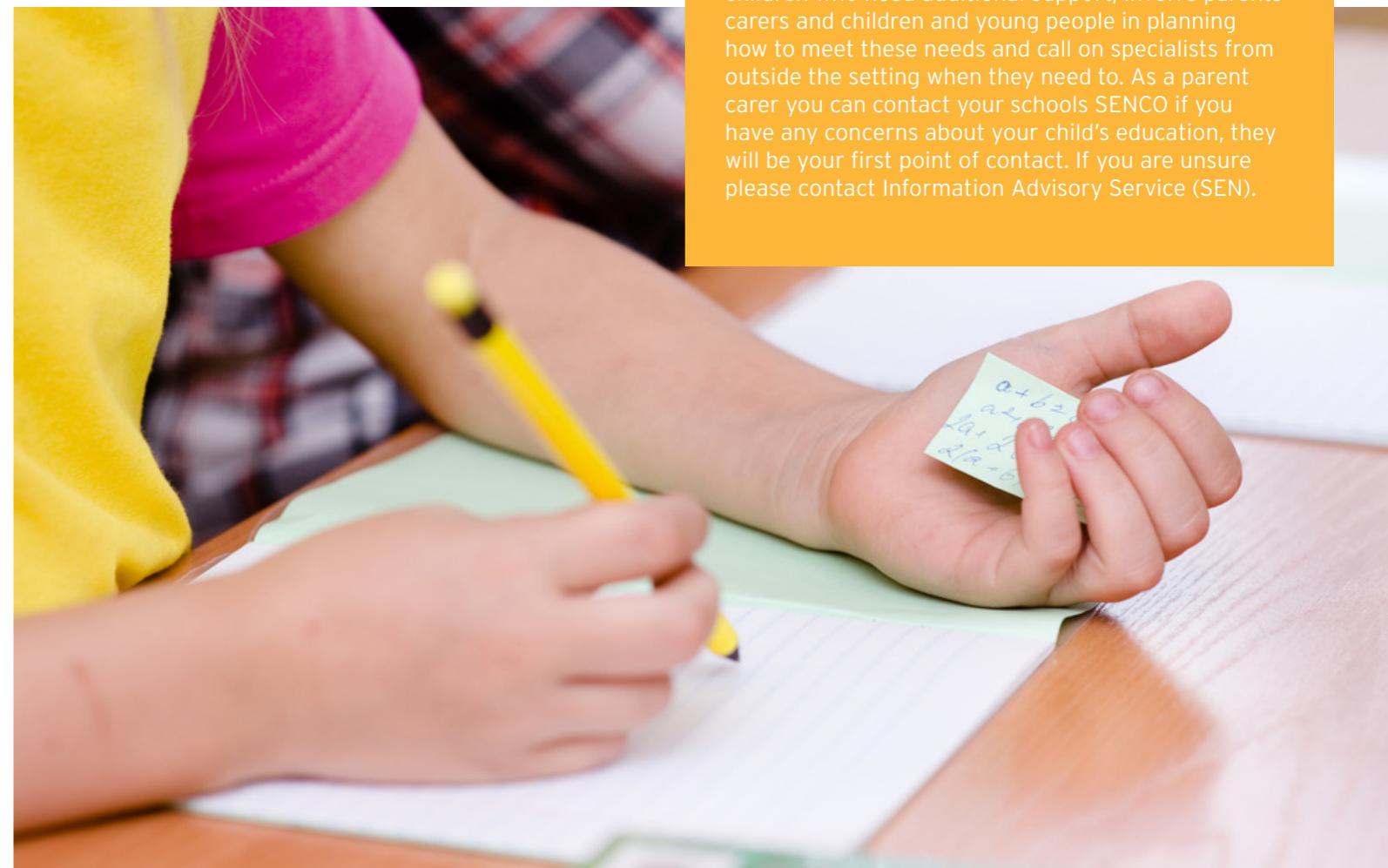
The setting will put the planned support into place. The teacher remains responsible for working with your child on a daily basis, but the SENCO and any support staff or specialist teaching staff involved in providing support should work closely to track your child's progress and check that the support is being effective.

4

Review

The support your child receives should be reviewed at the time agreed in the plan. You 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.

Your school or other setting can use the Local Offer to see what help is available that may help achieve your child's outcomes. Settings (e.g. Nurseries, Schools, Colleges) are still required to identify children who need additional support, involve parents carers and children and young people in planning how to meet these needs and call on specialists from outside the setting when they need to. As a parent carer you can contact your schools SENCO if you have any concerns about your child's education, they will be your first point of contact. If you are unsure please contact Information Advisory Service (SEN).



Changes to the way SEND is funded

In April 2013 there was a change in the way schools received funding from the government called the 'School Funding Reform'. This changed the funding arrangements for children with special educational needs.

What this means for Bolton

The government's view is every child is allocated £4,000 as a basic fund to be educated. The government also informed schools that the first £6,000 of additional funding should be met by schools from their block of the Dedicated School's Grant (DSG). Where the value of a pupil's 'additional needs' are greater than £6,000, then the child is classified as a 'high needs' child and any further funding will be provided from the High Needs Block of DSG, based upon the child/young person's assessed needs (through an Education, Health and Care Needs Assessment). This isn't a new change but it is important to understand that the schools have a duty to assess need and collate evidence prior to asking for consideration for high needs funding.

TIMESCALES

When a school or a parent asks the LA to formally assess a child/ young person's special educational needs, the government has introduced new timescales of a maximum 20 weeks in which to collate and gather evidence, to decide if a child or young person requires an assessment and whether to issue an EHC Plan. The LA will expect that unless there are exceptional circumstances there will have been input from specialist advisory services and SEN support for a minimum of 2 school terms.

Local Offer

Every local authority must identify what Education, Health and Social Care services in their local area provide for children, young people and families who have SEND and include them in an information directory called 'The Local Offer'. Local services should reflect what local people need. This is a tool for families to use to map their way through local services, including what to expect from the local early years providers, schools, colleges, health and social care services. In addition, it will include information on how to request a personal budget, how to access more specialist support and how to complain or appeal. The LA MUST involve parent carers, children and young people in developing the Local Offer.

What this means in Bolton

The Local Offer website is currently in its early stages and can be found at <http://www.localedirectory.bolton.gov.uk/send.aspx>. The Local Offer information will only be as good as the links that the providers offer. It will be their responsibility to make sure the information is up to date. The LA will endeavour to ensure this happens as and when needed. If you do visit the website and don't find what you are looking for please send a comment from the website page or telephone 01204 338756 or make contact with the Parent Carer Consortium.

Information and Advisory Service (SEN)

A dedicated and easily identifiable service, which in Bolton means building on what is already in place, that is the Parent Partnership Service (PPS). PPS has now become the Information and Advisory Service (SEN). Their role will be to ensure that young people and parents have impartial advice and guidance that is confidential, at arm's length from the Local Authority and is free and accessible. For more information please telephone 01204 848722 or email pps@boltoncog.co.uk.



Independent Support (IS)

Is another local service that is independent from the Local Authority. The IS can provide additional support to young people and parents during the implementation of the SEND reforms. Contact details for the IS in Bolton is Tel 07467943495 Email cheryl-pps@boltonoutlook.com

In Bolton you may also be offered the opportunity to have an Independent Supporter from the Together Trust - this will be an optional service and may be offered depending on the age and stage of your child/ren. This can be discussed with Cheryl Wyatt (see above).

Bolton Parent Carer Consortium

We are currently seven local voluntary organisations (ZACS, Kidz2gether, Greenfold Parent's Group, Day-trippers, COG, Breaking Barriers, Bacpac, (supported by Information and Advisory Service) We want to improve services in Bolton for our children and young people with SEND.

Our aims are to work with commissioners, service providers and families to enable services to be delivered in a personalised way, as early as possible. To strive to be the voice for equal opportunity, for families of children aged 0-25 years with SEND boltonparentcarerconsortium@yahoo.co.uk or telephone 07909187121.

Personal Budgets

A personal budget is the total cost of the provision required to meet the special educational needs of a child or young person. You will be asked if you want to consider a personal budget when you complete the Parental Advice Form for the transfer of a statement /LDA to an EHC Assessment. There are four mechanisms for the delivery of a personal budget to offer parents/young people more choice and control over provision:

Direct Payments

Where individuals receive the funding directly in order to contract, purchase and manage services to provide the support specified in the EHC plan themselves.

An arrangement/notional budget

Where the Local Authority, school or college hold the funds and commission the support specified in the EHC plan.

Third party arrangements

Where direct payments are paid to and managed by an individual or organisation on behalf of the child's parent's of the young person or a combination of these.

How can I find out about what early years providers, schools, colleges, social care and health should do?

A new SEND Code of Practice has been published <https://www.gov.uk/government/publications/send-code-of-practice-0-25>

This is statutory guidance for organisations who work with and support children and young people with special educational needs and disabilities (SEND).

Options regarding the management of a personal budget, and the preferred method for receiving this, will be discussed with parents/young people during an Education, Health and Care needs assessment and during a transfer review. Direct payments/third party agreements can also be requested during an Annual Review of an EHC plan. Direct payments and third party arrangements are optional.

Direct payments and third party arrangements can include funding from education, health and social care (separate payments during 2014-2015). You cannot ask for a personal budget whilst still having a statement or an LDA. The options regarding what a personal budget can be used for during 2014/15 will be limited, because some of these services are currently contracted out.

If you decide to take an option where you have direct control over the funding you will be required to appoint and manage staff, set up a separate bank account, to keep good records, receipts and pay wages etc. This bank account will be audited by the LA and/or CCG.

How can you get involved?

Through Bolton Parent and Carer Consortium; Please get in touch, as there are lots of ways in which you can get involved and you can make a real difference by sharing ideas and thoughts.

When will this happen for my child/ren?

From 1st September 2014 the transition from a statement or LDA to an EHC will take place usually at an annual review. The LA have produced a Transition Policy, if you would like further information please contact the Parent Carer Consortium.

The transition plan will assist you in understanding what year groups will be transferred and when, so that you can have an idea of when this is likely to happen for your child.

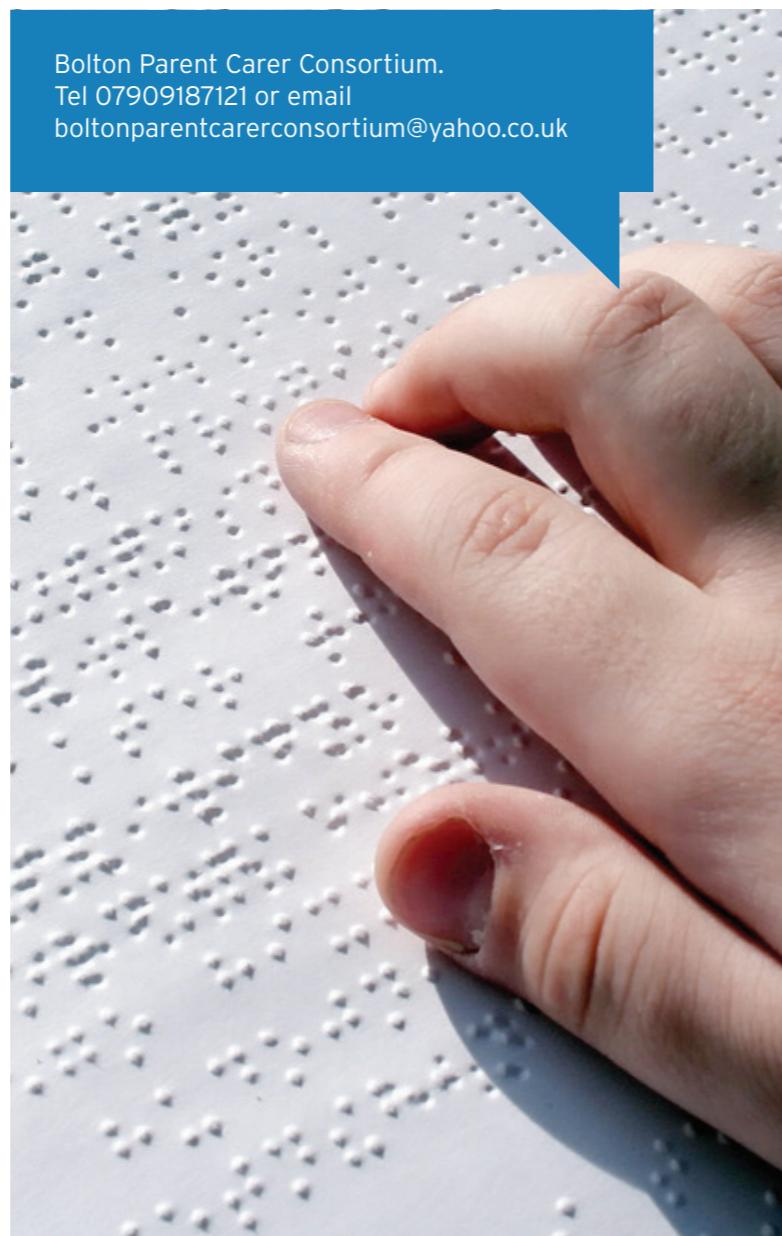
This means that in stages over the next few years, children with existing statements of SEN and LDA's will have them transferred to an Education Health and Care Plan (EHC plan). There will be agreed procedures for the changeover and parent carers and young people will have a say in this. Existing rights, e.g. rights to appeal, **WILL** continue during the transfer.

Remember until your child changes from a Statement/LDA to an EHC plan you will remain under the previous law, policies and procedures. Information advice and support is available by contacting the Information and Advisory Service on 01204 848722 or email pps@boltoncog.co.uk.

Post 16

High aspirations are crucial to success- discussions about longer term "goals" should start early. Early planning will support the decision making choices from year 9 onwards. The EHC plan should focus on the child or young person's strengths and capabilities with clear outcomes identified in preparation for Adulthood. The LA will support the planning process to increase the choices for Post 16 educational pathways with clear transitional arrangements.

If your child receives social care support from children's services, they must continue to provide this service until adult provision has started or a decision is made that, following an assessment, a young person does not meet the eligibility criteria for adult social care.



For Parent carers and young people over 16 years this is the new application process

Requesting an EHC needs assessment - You can ask your local authority for an EHC needs assessment if you think your child needs one or if you think that you need one and are over 16 years old. Anyone at your child's school (such as your child's teacher) can also ask for an assessment to be carried out. Others who work with your child can also tell the local authority if they think an assessment is needed (such as your doctor, health visitor or nursery worker).

Deciding whether to conduct an EHC needs assessment

Once your local authority identifies that your child has SEN or receives a request for an assessment, they have up to six weeks to decide whether to carry one out. During that time, they will ask you and others - such as your child's school or other setting - for information to help them make that decision. You may wish to gather together all the reports and letters from your child's school or other setting, doctors' and any other assessments that have been produced about your child.

You may also want to write about your child's needs and how long they have had them. If the local authority decides not to carry out an assessment, they need to let you know their decision within six weeks of receiving a request for an assessment. In Bolton you will be offered a meeting with the LA usually the lead person making the decision to explain their reasons why an assessment will not be carried out.

Conducting an EHC needs assessment

Local authorities need to make sure that you and your child are fully involved in the EHC needs assessment. They need to provide you with impartial information, advice and support to help you understand the process and make sure you are properly involved in decisions that affect your child. This may include help from an Independent Supporter. (Refer to useful contact information).

The assessment includes talking to you and your child and finding out from you what support you think your child needs, and what aspirations you and your child have for his or her future. The assessment also includes seeking information and views from people who work with your child, such as class teachers, doctors and educational psychologists.

Your local authority has to review your child's EHC plan at least every 12 months. That review has to include working with you and your child and asking you what you think and what you want to happen, and a meeting which you **MUST** be invited to.

Deciding whether an EHC plan is needed

After your local authority has made its assessment, having involved you and your child fully in the process, it will then decide whether or not an EHC plan is necessary. If they decide that an EHC plan is not needed, they must tell you within 16 weeks that they received the request for an assessment. In Bolton this decision will be made by a Local Authority Officer, with financial resources being agreed at a Resource Allocation Panel attended by Education, Health and Social Care.

Preparing an EHC plan

If your local authority decides to proceed with an EHC plan, they should work closely with you and your child to make sure the plan takes full account of your views, wishes and feelings. Once the plan has been written, a draft will be sent to you which must not contain the name of the school or other setting your child will attend.

You will be given 15 days to comment on the draft and you can ask for a meeting to discuss if you want one. At that point you will also be able to request a specific school, or other setting, you want your child to attend. This could be a mainstream school or special school. Your local authority has 20 weeks from the request for the EHC needs assessment to issue the final plan to you.

Once an EHC plan has been finalised, your local authority has to ensure that the special educational support in section F of the plan is provided, and the health service has to ensure the health support in section G is provided. This should help to enable your child to meet the outcomes that you have jointly identified and agreed. In Bolton, if you have chosen the option of a personal budget you will be asked to attend a meeting to discuss this.

Glossary of Terms

SEN: special educational needs

SEND: special educational needs and disability have legal definitions. These can be found in paragraphs xiii – xxiii of the introduction to the 0-25 SEND Code of Practice.

LA: Local Authority

Children and Families Act: Part 3 includes new laws on SEN and Disability, which came into force from 1 September 2014.

Statutory Guidance: where statutory guidance applies to someone, they cannot ignore it and they must have a good reason for doing something different from what the guidance tells them.

SEND Code of Practice: this is statutory guidance for people and organisations that have duties towards children and young people with SEND. The current Code continues to apply until September 2014 and some parts of it will continue after that. The new Code was issued in 2014 under Part 3 of the Children and Families Act.

Outcomes/Goal: are the changes that will come about for your child. They are agreed with the child and family. Education, Health and Social Care services look at how they support children and young people, in a way that improves progress and supports the 'outcomes' they want and need in their lives; i.e. the benefit or difference made to an individual as a result of an intervention

Aspirations: Are things that you or your child hopes to do with their life; this can be both long term and short term 'aspirations'.

Joint working: This means services that families use, in particular education, health and social care to work more closely together and commission services together. This should improve the experiences if children, young people and their parent carers.

Transition Period: this is the time limit in which Bolton has to transfer all the current statement of educational needs/ LDA's into EHC plans.

Clinical Commissioning Group (CCG)

The organisation with responsibility for the health of the people of Bolton, commissioning – buying – services across the borough. Its aim is to provide quality services, at the best location, at the right time, and make sure to do the best we can with the money.

OFSTED: The official body for inspecting schools. Provides links to school reports and official publications as well as a FAQ and contact details.

Useful Contacts

Independent Support

cheryl-ppsbolton@outlook.com
07467943495

Information and Advisory Service (SEN)

pps@boltoncog.co.uk
01204 848722

Bolton Parent Carer Consortium

boltonparentcarerconsortium@yahoo.co.uk
07909187121

Inclusion and Assessment section of the LA

Ea.sen@bolton.gov.uk
01204 338653/338612/332207

Children's Commissioner for Clinical

Commissioning Group (CCG)
Sharafat.ali@nhs.net
01204 462000

Parent's Information & Support Officer

Disabled Children's Services
therecord@bolton.gov.uk
01204 337102

The Local Offer

<http://www.localdirectory.bolton.gov.uk/send.aspx>
01204 338756

Educational I Psychology Dept

epstraded@bolton.gov.uk
01204 338060

Connexions Service

Main Office: BASE , Marsden Road, Bolton , BL1 2PF
www.connexions-bolton.com
01204 334450

OFSTED

enquiries@ofsted.gov.uk
Ofsted, Piccadilly Gate, Store Street, Manchester M1 2WD
0300 123 4234; prefix for Typetalk 18001;
for textphone/minicom users 0161 618 8524

Children with Disabilities Social Work Team

01204 337400

Social Care Team Adult Services

01204 338027

SEN Transport Policy

www.bolton.gov.uk

Post 16 SEN/High Needs Officer

denise.luczka@bolton.gov.uk
01204 334314