

The Code of Practice (CoP) tells us that 'a pupil has SEN where their learning difficulty or disability calls for special educational provision, namely provision different from or additional to that normally available to pupils of the same age.'

Children with SEN but no EHCP

Children or young people with special education needs (SEN) who don't have an Education, Health and Care Plan (EHCP) should have provision made for them in school through 'SEN Support, often referred to on documentation as 'K'.

This has replaced School Action and School Action+ which some children previously had before the law was revised in 2014 when a new Code of Practice (CoP) was introduced.

What is SEN Support?

SEN Support usually focusses on a cycle which requires us here at Woodhey High School to assess, plan, do and review, to ensure they understand the child's needs and the support needed to help them make good progress. This is therefore likely to differ according to the individual needs of each child.

Assess

To assess, classroom teachers and support staff work with the special educational needs co-ordinator (SENDCo) to carry out a clear analysis and understanding of the child's needs, and this will include exploring any concerns raised by the parents. This is then reviewed regularly and includes input from professionals working with the child and school.

Plan

If Woodhey decides to provide SEN Support, we will plan the support and interventions the child needs based on the assessment and information we have gathered. We will make sure that parents are fully aware of the planned support and interventions and we will seek your consent as parents.

Do and review

Staff at Woodhey will then do the planned support and interventions, reviewing the effectiveness of them and the impact of these on the child's progress. We will also seek the views of the child and his/her parents. We will then discuss any changes to the plan, should they be necessary.

Can SEN Support include provision from professionals outside of the school?

Yes, so long as it is decided that provision from an outside professional is needed as part of the SEN Support. Parents will always be involved in the decision to use external professionals and any agreed support should be provided as soon as possible after confirming it is needed.

What can I do if the SEN Support is not provided?

As Woodhey High School is responsible for SEN Support you should contact us first and discuss this with us. You may want to contact the Head of Year or the SENDCo first, and if you don't receive a satisfactory response, you could consider making a complaint to the school. Woodhey has a complaints policy, which sets out the process you would need to follow, should you feel the need to make a complaint. This can be provided on request.

What can I do if the school's plan does not include the provision needed, or if my child is not making progress under SEN Support?

You should raise your concerns with Woodhey as set out above. If you remain unhappy it is unlikely you will be able to take legal action against Woodhey in relation to the SEN Support, unless you think that we are discriminating against your child. In this case you should seek legal advice.

You should consider whether your child's special educational needs can be met under SEN Support or whether they need an EHCP. An EHCP is a higher level of support than SEN Support for children with special educational needs, determined by a formal assessment through external agencies (EHC Needs assessment). Not all children will be entitled to an EHCP.

Why should I ask for an EHCP?

EHCPs have many advantages, but they have two key benefits over SEN Support: first, the EHCP will set out what provision is required to meet the child's educational needs. If this is not provided as set out in the EHCP, there is a legal remedy that can be pursued against the Local Authority, which has a legal duty to ensure it is provided. Second, if an EHCP does not include all the provisions a child needs, the parents or the child (if they are over compulsory school age) can appeal to the First-tier Tribunal (Special Educational Needs and Disability) and ask for further provision to be included in it. You can also use this right of appeal to ask for the provision included to be more specific and quantified, as EHCPs are not always written clearly enough to establish the specific provision which must be supplied.

How do I get an EHCP?

You as parents are able to request an Education, Health and Care Needs Assessment from the Local Authority, or Woodhey may suggest to you that they feel that they would like to pursue the request, which will start off the process. The Local Authority could refuse to carry out the assessment, or after assessing they could refuse to issue an EHCP. If either of these happens, you should seek legal advice about your right of appeal. Likewise, if you are successful in obtaining an EHCP you are able to seek legal advice regarding your right of appeal in relation to this to make sure it is a good Plan.

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