

SEND 0-25



Telford & Wrekin
COUNCIL



NEWSFLASH

5th May 2020

Update from SEND Service Delivery Manager – Simon Wellman

Dear all,

It has been a busy week for Special Educational Needs and Disability! As you are aware the Local Authority has been making phone calls to our parents with children and young people who have an Education, Health and Care Plan (EHCP) as part of the risk assessment process. Our focus here has been to compliment the work of educational settings whereby you are determining whether children are safer at home or as safe or safer to attend their educational setting at this time. We wanted to let you know that the feedback we have received has been overwhelmingly positive. Parents have thanked us for taking the time to 'check in' with them. We have also had lots of great feedback about the support offered to families by their schools and colleges. It is clear that you are working hard to protect and care for our children as you always do!

We know that the risk assessments are a dynamic process and that circumstances will change on a daily basis. You will be making judgements as to the appropriateness of a child's attendance in liaison with parents. Should your initial position, that the child is better at home, change, then we know that you are encouraging children back into their setting. Likewise where we hear from parents that issues arise we will contact you to discuss next steps (although we fully anticipate you are already aware and working closely with them!).

Below we provide an update about the temporary legislative changes that have come into effect from the 1st May 2020. Virtual briefings will be held for educational settings so that you are aware of your role in supporting delivery at this time. Details about how to sign up to these are provided overleaf.

Very best wishes

Simon

Education, Health and Care Plans: Guidance on temporary legislative changes relating to Coronavirus (COVID-19)

On Friday 1st May 2020 temporary legislation came into effect surrounding SEND duties. The full report can be found: [HERE](#). A brief summary is provided overleaf of the main changes and how we will work with our educational settings and parents/carers to implement the duties.

A joint letter was also published by the DHSC and DfE to outline the changes which can be found [HERE](#).



5th May 2020

Education, Health and Care Plans: Guidance on temporary legislative changes relating to Coronavirus (COVID-19)

There are 2 main changes to 'SEND duties' which have been deemed necessary to help protect the needs of children and young people with SEND and manage the demands on local authorities and health bodies to respond to the Coronavirus outbreak.

Change 1—a new exemption to the 20 week EHC timescale will be permitted due to issues relating to Coronavirus.

This will mean some EHC assessment requests will not be completed within 20 weeks at this time. This might, for example, be due to professionals being unable to complete their assessment. Where this is the case we will write to parents and settings to let them know. Where it has been necessary to apply an exemption we will also try and catch up as quickly as possible so that the assessment process does not drift.

Things to note however:

There is no blanket policy. As far as possible we will still attempt to deliver all assessments within the 20 week timescale. All professionals who give advice have been asked by the DfE to use creative ways in which to provide their information so that assessments continue to be made and EHC plans issued in a timely manner. Determining which EHC assessments will be exempt from the 20 week timescale will be made on a case by case basis.

This change came into effect from the 1st May 2020 and will be in place until the 25th September 2020 in the first instance.

Change 2—the duty to secure or arrange special educational provision and health care provision in EHC plans is temporarily modified to a duty to use 'reasonable endeavours' to do so.

Decisions regarding 'reasonable endeavours' must consider what needs to be delivered for a child with an EHC plan during this period. For the majority this is likely to mean that provision will be different to that which is set out in their EHC plan for some, or all of the time that the legislative notice is in.

No blanket policy will be introduced. Reasonable endeavour must consider what is necessary for each child. Alternative provision arrangements that are put in place will need to consider local circumstances, this is likely to include workforce capacity and skills, temporary closures of education settings, guidance on measures to reduce the transmission of coronavirus, the extent home learning programmes can be made available and the availability of suitable IT equipment in the home.

Example of alternative arrangements may include

- Alterations to the frequency and timing of delivery of provision in school.
- Video class sessions for children to keep in touch with classmates and teaching staff.
- Home learning reading programme, provided by SENCo, reviewed weekly.



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Education, Health and Care Plans: Guidance on temporary legislative changes relating to Coronavirus (COVID-19)

- EPs providing therapy interventions.
- SALT/OT input via video link.

(All of these suggestions are taken from the DfE guidance).

This change came into effect from the 1st May 2020 and will be revised on a monthly basis by the Secretary of State.

The majority of provision in children's EHC plans are delivered through educational settings. In Telford and Wrekin we know, because you and parents have told us, that early years providers, schools and colleges are supporting families to deliver home learning programmes and are 'checking in' with families. We are aware that SENCOs are keeping oversight of children both with an EHC plan and at SEN support to make sure home learning is accessible. We have heard about virtual interventions (reading and phonic based programmes) that are taking place. We know that some part time provision has been deemed appropriate. All of these activities help us to deliver on the 'reasonable endeavour' duty. In Telford we also have a range of educational support services including Portage, Sensory Inclusion, Learning Support Advisory Teachers, Behaviour Support and Educational Psychology that support settings. Please do liaise with your allocated officer to see how they can help. Where applicable services through traded agreements could be agreed to support delivery of provision too. There will be no break in high need funding, whether through provision of Early Years Inclusive Funding, the Inclusive School Forum or an EHC plan. What is important is that a record is kept of the arrangements that have been put in place for children with EHC plans at this time and views of parents/carers have been sought.

In order to understand the reasonable endeavour duty further the local authority intends to hold virtual briefings with settings, schools and colleges. Further details can be found overleaf.

All other duties within SEND legislation remain in place namely:

Annual reviews of children's EHC plans require completion—there is acknowledgement that reviews may be briefer and held in a different form.

Educational settings must continue to admit children once they are named on an EHC plan— this means a setting must put the child on roll and treat the child in the same way as all other children are being treated at the setting at this time.

Settings must respond within 15 days of the LA consulting with them regarding proposals to name them in a plan.

The SEND appeal system remains in place. There are no new complaints processes for the temporary legislative duties and where disagreements arise local dispute processes should be followed.

Duties in law over EHC needs assessments and plans have not been 'turned off'. In Telford and Wrekin where new requests are being considered, either by an educational setting or parent, please discuss these first with the SEND team before starting an application. They will work with you to discuss how best to get support and provision in place for children which might involve the use of more flexible release of Early Years Inclusion Funding or ISF!

5th May 2020

Virtual briefings for educational settings—on temporary legislative changes relating to Coronavirus (COVID-19)

Target Audience

- SENCOs

Brief overview

- A brief PowerPoint will be shared to give you the main changes related to SEND duties.
- What is different? What is the same?
- How can you help to deliver on the 'reasonable endeavours' duty to secure provision in a child or young person's EHC plan.
- The importance of record keeping
- Sharing examples of current practice—open forum for settings.

Briefing 1- Monday 11th May 2-3pm

Briefing 2- Tuesday 12th May 9.30-10.30am

Briefing 3- Wednesday 13th May 1.30-2.30pm

To sign up please email localoffer@telford.gov.uk and provide your name, role in school and specify which session you would like to attend (you only need to do one!) Spaces are limited at each session and bookings close on Monday 11th May at 11am.

You will then be sent an email which will include an invite to join the meeting using Microsoft Teams.

You must download Microsoft Teams on your device in advance of the meeting. Information about how to do this was included in the last [SEND Newsletter - April](#) —you will need to download the app.

[Microsoft Teams for Education](#)





Local Offer for Special Educational Needs and Disability

Discover everything you need to know about education, health and care services in your local area for children and young people with SEND 0-25yrs at...

www.telfordsend.org.uk

Key features...

- > Search for clear and accessible information, advice and sources of support.
- > Explore leisure, fun and short breaks activities.
- > Find out about specialist services and education health and care plans.
- > Learn how schools support special educational needs.
- > Use the interactive map showing what is available near to where you live.
- > Have your say through our online feedback form.

