

# NEWSFLASH

1st June 2020

## Update from SEND Service Delivery Manager – Simon Wellman

Dear all,

On the 26<sup>th</sup> May 2020 new SEND guidance was released by the DfE. The guidance in full can be found at: [Supporting children and young people with SEND as schools and colleges prepare for wider opening](#). In order to understand the next steps educational settings must take, we have issued this SEND newsflash, a refreshed EHC risk assessment template and details of further virtual briefings for SENCOs (see page 9). To reassure, any actions that need to be taken should act to compliment the work and planning you have completed to date.

The main request from the DfE is for educational settings, in collaboration with the LA and parents/carers, to review and reconsider the needs of all children and young people with an EHC plan to ensure that those who need to be in nursery, school or a post 16 provider are correctly identified, and to help ensure that children who are not in a setting get support where it is needed. In short the EHC risk assessments originally completed in April 2020 now require a refresh.

A new EHC risk assessment template has been designed for this purpose based on the latest DfE guidance. There is no requirement to use this template if you feel you have a suitable alternative. Rather than asking you to resubmit risk assessments to the Local Authority, officers will begin to phone educational settings, week beginning 8<sup>th</sup> June 2020, to review any changes that you have made.

Key messages in the latest DfE SEND guidance include:

- Children and young people with SEND in mainstream and Alternative Provision settings who have not been attending and are in eligible year groups should experience the same return to their settings as their peers, informed by their individual circumstances and risk assessments.
- Special schools, special post-16 institutions and hospital schools should work towards welcoming back as many children and young people as can be safely catered for in their setting, based on the child or young person's risk assessment but not using their year group as a primary deciding factor

In both mainstream and special settings:

- Children and young people with EHC plans who are already attending their education setting, because they have been risk assessed as safe or safer in school/college, should continue to attend after 1 June, whatever year group they are in.
- Educational settings and local authorities should keep risk assessments up to date, to ensure they are able to offer places to pupils and students, whatever year group they are in, where appropriate.
- Children and young people who are clinically extremely vulnerable and shielding, or who live in a household with somebody this applies to, will not be expected to attend in person.

We really do appreciate the multiple requests being made of educational settings and thank you in anticipation of your support! Simon



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

### **Summary of DfE guidance:**

- Education settings have already been open to priority groups. From 1 June mainstream primary schools will begin to welcome back children in Nursery, YR, Y1 and Y6, alongside priority groups.
- From 15 June, at the earliest, secondary schools, sixth form and FE colleges to offer some face-to-face support to supplement the remote education of Y10 and Y12 students,, alongside the full time provision they are offering to priority groups.
- From 1 June, all special schools to welcome back more children.

### **Supporting children with EHC plans in mainstream schools, colleges and AP settings:**

- Schools and colleges should continue to offer places to priority groups, inc. those with EHC plans. This includes special units and resourced provision.
- Schools, colleges and LAs should ensure that risk assessments for CYP with EHC plans are kept up to date.
- Risk assessments should inform the way a school or college supports CYP with EHC plans as they return.
- LAs and educational settings should judge whether risk assessments continue to be useful for each child or young person after they have returned to their setting.
- Readjustment to routines may prove more challenging for some children with SEND.
- Need to ensure that the setting:
  - ⇒ has the staffing needed to support children with SEND at safe ratios,
  - ⇒ has a member of staff designated as a SENCo or interim SENCo
  - ⇒ involves parents and carers in planning and agreeing any changes to support, inc. reviewing EHC plans.
- Some children and young people will need careful preparation for their return, to support them to follow protective measures in the school or college.



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

### Special school / specialist provision

- The aim is for specialist provision to ensure increasing numbers of children and young people attend on-site education, whilst prioritising the safety of children and staff.
- Special schools, special post-16 institutions and hospital schools should:
  - ⇒ work towards a phased return of more children and young people,
  - ⇒ not focus on specific year groups,
  - ⇒ be informed by risk assessments.
- Prioritise attendance for:
  - ⇒ CYP approaching key transition points, e.g. transition to another educational setting or from education to adult life, particularly where multi-agency work to secure that progression is needed;
  - ⇒ CYP who most need on-site provision to support their life chances and development, e.g. to reinstate routines and engagement with learning.
- Children and young people who are considered clinically extremely vulnerable and shielding should continue to shield and should not be expected to attend.
- Special schools, special post 16 institutions and hospital schools should encourage attendance based on:
  - ⇒ the child's risk assessment;
  - ⇒ the ability of the setting to provide for their needs
- Child's year group should not be a primary deciding factor.
- Where CYP have already been attending their specialist setting, they should continue to do so.
- For specialist settings the use of flexible approaches can be considered, such as:
  - ⇒ part-time timetables and attendance rotas;
  - ⇒ blended onsite and home learning;
  - ⇒ phased returns for individuals or groups;
  - ⇒ children and young people being offered blocks of time on-site on a rotating basis.



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

### Risk assessments

- Opening education and care settings to more CYP indicates that the government's five key tests have been met, and therefore there is a material change in risk levels.
- From 1 June, all educational settings and LAs should continue to offer places to all CYP whose risk assessment determined that was the right course of action.
- **Settings and LAs should not continue to be bound by their original decisions to keep other children and young people at home.**
- Aim is to determine where the child or young person's needs and best interests can best be met.
- To be done collaboratively, on an individual basis, with LAs and educational settings working with parent/carers, the child or young person and social workers.
- Should incorporate the views of the child or young person.
- Guide decisions about which children and young people with EHCPs should be attending their educational setting.
- Take into account the changing circumstances of the CYP so that they can be return to face to face education where it is becoming unsustainable to be at home week round.
- Help make decisions about the support they should receive at home.
- Provide helpful information to head teachers and others in planning for and supporting those children and young people with EHCPs who return to education settings.
- Some parents and carers may be finding it increasingly difficult to sustain the levels of care and support that their children need;
  - ⇒ A potentially lower than usual access to respite and short breaks services;
  - ⇒ The loss of care from extended family; and
  - ⇒ The risks to health of caring week round for children and young people with complex mobility needs.
- Where families are unable to continue supporting CYP at home, education settings, LAs and CCGs should work together with parents and carers to ensure that CYP can return promptly to their education setting.



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

### **Attendance of children and young people with EHCPs**

- Attendance is expected, where it is appropriate, following a risk assessment for CYP with an EHCP.
- Regardless of year group, CYP with an EHCP who have not been attending are now expected to return to nursery, early years, school or college provision where this would be appropriate for them to do so.
- This means that CYP who are now offered a place by their educational setting are expected to attend that place.
- Parents will not be penalised if they choose not to send their child to school at this time.

### **Supporting learning for those CYP who remain at home, on a full or part time basis**

- Schools and colleges should ensure CYP continue to engage in learning as far as possible (e.g. through remote learning).
- Providers should engage proactively with parents.
- Designing at-home learning could involve professionals such as EPs, SaLTs, OTs, to design or adapt interventions or learning materials.
- In mainstream schools, SENCOs will usually lead on ensuring those with EHCPs have access to materials.
- Online learning resources, inc. Oak National Academy's specialist curriculum and DfE published resources.



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

### **How schools can keep all staff and children safe and reduce the risk of infection**

- Educational settings should be following the principles of good hygiene and hierarchy of infection control: regular, thorough hand washing using soap and water, or alcohol gel, good respiratory hygiene and cleaning arrangements.
- Social distancing measures should be in place where feasible.
- Children and staff who show symptoms of coronavirus should not attend and should instead remain at home.
- If a child or member of staff is not showing symptoms but someone in their household is, the child or member of staff should remain at home for 14 days.
- The scientific evidence shows that most staff will have no need for PPE beyond what they would normally need for their work.
- The guidance recommends the use of PPE when:
  - ⇒ caring for a child who has complex medical needs, such as tracheostomy care;
  - ⇒ care routinely already involves the use of PPE due to their intimate care needs;
  - ⇒ caring for a child or young person who is demonstrating symptoms of COVID-19.
  - ⇒ Settings and providers should use their local supply chains to obtain PPE.
- Some children and young people with SEN present behaviours that are challenging to manage, such as spitting uncontrollably.
- It will be impossible to provide the care that some children and young people need without close hands-on contact.
- Staff should minimise close contact, increase hand-washing and other hygiene measures, and clean surfaces more regularly and maintain existing routine use of PPE.
- Educational settings should follow the Public Health England guidance on cleaning in non-healthcare settings.



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

### Key Guidance Documents

- [Supporting CYP with SEND as schools and colleges prepare for wider opening](#)
- [Safe working in education, childcare and children's social care](#) – guidance about preventing and controlling infection, including use of PPE in education, childcare and children's social care settings
- [Coronavirus \(COVID-19\): implementing protective measures in education and childcare settings.](#)
- [Actions for education and childcare settings to prepare for wider opening from 1 June 2020](#), - overarching aims and principles of the next phase, and the next steps for education and childcare providers.
- [Opening schools and educational settings to more pupils from 1 June: guidance for parents and carers](#)
- [Maintaining education and skills training provision: further education providers](#)
- [Planning guide for early years and childcare settings](#)



## Suggested key next steps for settings to take:

- Review the risk assessments for all children with EHC plans (a refreshed template has been created for your consideration).
- Encourage the attendance of children with EHC plans where risk assessment determines it is most appropriate for a child to be in an educational setting. If there is a need to prioritise it would make sense to consider those who are the most vulnerable, alongside the priority year groups first (mainstream settings only) and then consider others who are less vulnerable/in other year groups. The speed at which you will do this will be dependent on the capacity of the setting to admit more pupils and health and safety considerations in line with PHE guidelines/settings own risk assessment.
- For special schools agree your phased approach to agreeing pupil numbers in line with DfE guidance.
- Continue risk assessments for children with an EHC plan, who remain at home or are on a part-time timetables.
- Ensure to create a 'plan on a page' to show the reasonable endeavours being made to deliver provision as set out in a child's EHC plan.

## Extension of temporary duty to make reasonable endeavours

You will recall that the temporary duty to make reasonable endeavours to deliver provision as set out in a child and young persons EHC plan required monthly review by the Secretary of State. On Friday 29th May confirmation was provided by the DfE that this change in law has been extended until 30 June. **Further information can be found at:** <https://www.gov.uk/government/publications/modification-notice-ehc-plans-legislation-changes>



## Virtual briefings for all educational settings 4th and 5th June

**This briefing will focus on the DfE SEND guidance issued on the  
26th May 2020**

### 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?
- Refreshed risk assessment template
- Sharing examples of current practice—open forum for settings.

Briefing 1 – Thursday 4th June 4pm—5pm

Briefing 2 – Friday 5th June 1pm –2pm

To sign up please email [localoffer@telford.gov.uk](mailto:localoffer@telford.gov.uk) and provide your name, role in setting 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 Wednesday 3rd June at 11am.

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





## 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](http://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.

