



SEND COVID 19 Briefing session – next steps

4th, 5th June 2020

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Overview of the session



- Presentation outlining updated DfE guidance issued 26th May related to SEND duties.
- Refresh of EHC risk assessments.
- Continuation of reasonable endeavours duty.
- Check in phone calls from the LA.
- Advice keeps changing and our plans will need to adapt as a result.

How to feedback during the presentation



- Please use 'chat' function.
- We will stop at appropriate points to work through the questions posed.
- QA at the end too.

Supporting children and young people with SEND as schools and colleges prepare for wider opening



May/ June 2020



Areas covered

- Schools and colleges - wider opening from June 2020
- Supporting children and young people with SEND as schools and colleges prepare for wider opening (risk assessment)
- Temporary statutory changes - update



Schools and colleges - from June

- Education settings are already open to priority groups.
- From 1 June, at the earliest, primary schools 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.
- 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.



Early years and childcare settings

- 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



Secondary schools - Information for parents

- Schools are also considering how to provide extra support to children who will find it harder to learn at home or are making the least progress.
- This could include children with SEND, children who receive free school meals, and children who have a social worker.
- If you feel that you need some more support, contact your child's school.



FE providers

- From 1 June at the earliest, more 16-19 learners in key assessment years, in addition to priority groups, will be able to attend FE settings.
- Special post-16 institutions will work towards a phased return of more young people without a focus on specific year groups.
- All vulnerable young people continue to be expected and encouraged to attend educational provision where it is appropriate for them to do so.
- Where it is not safe for vulnerable learners to attend, or vulnerable learners cannot be persuaded to attend education settings, colleges should maintain regular communication with social workers, vulnerable learners and their families.



Specialist provision – Aims for return

- Our 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.



Specialist provision –priority returners

- 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.



Supporting children in special schools and specialist post-16 institutions

- 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.



Transitioning back to specialist settings

- We are encouraging the use of flexible approaches, 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.



Risk assessments – Key messages

- 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.



Undertaking the risk assessment

- 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.



Risk assessments - Purpose

- 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.



Updating risk assessments - factors to take into account

- 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.



Planning for return to school

- Co-production - educational settings should contact parents and young people over 16 and involve them in decisions where their child has an EHC plan,
- Schools and colleges will need to ensure they have the staffing needed to support children and young people at safe ratios.
- LAs will also need to reinstate safe home to school transport arrangements.
- Some children and young people will need careful preparation for their return to support them to follow protective measures in the school or college.



Attendance of children and young people with EHCPs – Key points

- 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.



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.



Use of PPE in education settings

- 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.
- Where this is not possible, they may approach their nearest local resilience forum.



Working hands-on with pupils and students who cannot adhere to strict hygiene practices

- 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.



Two temporary changes to SEND legislation

1. Section 42 of the CFA 2014 (duty to secure special educational **provision** and health care **provision** in accordance with EHC plan): the duty on LAs or commissioning health bodies to secure or arrange the provision is temporarily modified to a duty to use 'reasonable endeavours' to do so.
2. The SEND (Coronavirus) (Amendment) Regulations 2020 amend Regs that specify **timescales** that principally relate to EHC needs assessments and plans. Where it is not reasonably practicable, or is impractical, to meet that time limit for a reason relating to the incidence or transmission of coronavirus, the specific time limit will not apply - process must be completed as soon as reasonably practicable.



Record-keeping and communication

There is a need to

- keep a record of the provision secured or arranged;
- Confirm with the parents or young person the arrangements,
- keep under review whether the provision it is securing or arranging means that it is still complying with the reasonable endeavours duty.



Reasonable endeavours – a plan on a page

What?	Securing something different to the provision stated in the plan, e.g.. in relation to availability of staff, availability of technology and any significant risk that may cause harm
Where?	Location where provision is to be provided may be altered – early years setting, school, college, community setting, home, clinic
When?	Frequency and timing of provision may be altered or modified in the light of available staff and risks that may cause harm
How?	Method of delivery may be altered, e.g.. virtual rather than face-to-face and smaller rather than larger groups for teaching (in line with the guidance on reducing transmission of coronavirus)
By Whom?	Changes to the person delivering the provision, e.g.. a learning assistant under virtual supervision rather than a specialist therapist or teacher



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.

Refreshed EHC risk assessment



Name Yr Group	Parental views Do parents think there child should be in education at this time? Yes / No	Does the child have a social worker or any safeguarding risks for children with a social worker if not in school and the need to support care placements for looked-after children. Provide RAG rating and brief description	Potential health risks to the individual from COVID-19, bearing in mind any underlying health conditions Provide RAG rating and brief description	Risk to the individual if some or all elements of their EHC plan temporarily cannot be delivered in the normal manner or in the usual setting, and the opportunities to meet needs in a different way temporarily, for example, in the home or online or in a different way at school. Provide RAG rating and brief description	Ability of the individual's parents or home to ensure their health and care needs can be met safely week-round or for multiple weeks, bearing in mind the family's access to respite care Provide RAG rating and brief description	Risk to sibling or family member due to limited self-regulation of behaviour and or behaviours cannot be managed at home. Provide RAG rating and brief description	Potential impact to the individual's wellbeing of changes to routine or the way in which provision is delivered. Provide RAG rating and brief description	Out-of-school or college risk / vulnerability Provide RAG rating and brief description	Setting Decision (in collaboration with parent/carer) Should the child be attending nursery/ school/college? RED = 'YES' the child should be attending. Green = 'NO' the child should remain at home because it is safer.	Measures in place
Jack Smith Year 1	Yes	No	No known health needs	Work pack supplied home. Work provided through online resource.	Some help offered through parent-school liaison officer due to previous attendance issues.	This has become an increasing risk and parents are reporting sig issues with brother.	Motivation to engage in online learning low.	No	Yes. Child in a priority year group and parent finding it increasingly difficult to manage.	Attendance to be encouraged.

Discussions regarding risk assessments must include parents/carers. There is no requirement to use this template if you feel you have a suitable alternative.

'Check in' phone calls to educational settings from the LA

- Rather than asking you to resubmit risk assessments to the Local Authority, officers will begin to phone educational settings, week beginning 8th June 2020, to review and discuss any changes that you have made.
- The LA needs to track which children with EHC plan should be in nursery/school/college, following refreshment of the risk assessments. Those who should attend their educational setting are coded RED. Those who are assessed as being safer at home are coded Green.
- During the phone call we will also discuss the reasonable endeavours duty. Following the call we will ask you to submit a 'plan on a page' for 1 child at your setting for moderation. This is to support you to ensure you are recording in line with statutory duties.
- We will also review your annual review listings and discuss any other business.
- We will also ask how you are!



**An opportunity to
discuss SEN issues**

Evaluation

- **Please leave a comment about the briefing using chat.**
- **How did you find the virtual briefing?**
- **What was helpful?**
- **Any further questions?**