



Section 2c - SEND & Inclusion Toolkit

Coordinating SEND provision in Post 16

Children and Young People's Services



Contents (section 2c)

General Post 16 SEND information	1 - 6
Broad areas of special educational need	
- Cognition & Learning	7
- Moderate Learning Difficulties (MLD)	7
- Severe Learning Difficulties (SLD)	8
- Profound & Multiple Learning Difficulties (PMLD)	8
- Specific Learning Difficulties (SpLD)	9
- Communication & Interaction	9
- Social, Emotional & Mental Health (SEMH)	10
- Sensory and/or Physical Needs	11
Post 16 planning tools	12
Training for staff	12 - 13
Graduated approach in Post 16+ settings	13 - 23
SEND and Post 19	24 - 30
Statutory timescales for EHC needs assessment and EHC plan development	31
What to do if a setting is concerned about the provision for a young person/young person with an EHC plan	32
Requests for an emergency placement in Post 16 settings	33
Glossary of useful terminology	34 - 42

General SEND information for Post 16 settings

Introduction

The Post-16 education and training landscape is very diverse. It encompasses settings such as: sixth forms (both mainstream and special settings), sixth form colleges, general further education colleges (FE) colleges, and 16 -19 academies, special post-16 institutions, and vocational learning and training providers in the private or voluntary sector.

Any Post-16 provision should also be underpinned by an effective Local Offer and funded through the budget allocated to the establishment. Additional funding is made available, from the Local Authority, through top-up funding where the cost of the special educational provision required to meet the needs of an individual young person exceeds the nationally prescribed threshold.

The statutory duties on post-16 institutions are set out in the Special Educational Needs and Disability SEND Code of Practice 0-25 years but this section is intended to exemplify such points in the Code and help post 16 settings in a practical way.

Roles and responsibilities of staff in Post 16 settings

Role of a SEN Co-ordinator in Post 16 settings

There is no statutory requirement to have a qualified teacher as a co-ordinator in Post 16 settings. However it is good practice for each setting to have an experienced member of staff co-ordinating SEN provision.

The co-ordinator has an important role to play with senior management, in determining the strategic development of SEN policy and provision in the setting. They will be most effective in that role if they are part of the setting leadership team.

The co-ordinator - alongside other colleagues in the SEN department - should provide professional guidance to colleagues and work closely with staff, parents/carers and other agencies. The co-ordinator should be aware of the provision in the Local Offer and be able to work with other professionals to provide the most appropriate support for young people and young people with SEND, and their families.

Responsibilities of a SEN co-ordinator in a Post 16 setting may include:

- overseeing the day-to-day operation of the SEN/D policy and ethos in the setting.
- co-ordinating provision for young people with SEND.
- helping to prepare students for adulthood.
- liaising with other relevant pastoral staff.
- advising teachers and support staff on the graduated approach to providing SEND support.

- liaising with senior leaders about the deployment of the setting's SEN budget and other resources to meet students' needs effectively.
- liaising with parents/carers of students with SEND.
- liaising with settings and other professionals including those in the health and care sectors, and independent or voluntary bodies.
- being a key point of contact with external agencies, especially the Local Authority and its support services.
- liaising with potential next providers of education and employers to ensure a student and their parents/carers are informed about options and a smooth transition is planned.
- working with senior leaders to ensure that the setting meets its responsibilities under the Equality Act (2010) with regard to reasonable adjustments and access arrangements.
- Ensuring that the setting keeps the records of all students with SEND up to date.

Responsibilities of senior leaders in Post 16 settings may include:

The senior leadership of a setting plays a pivotal role in driving cultural change.

They must:

- take overall responsibility for implementing the SEND provision.
- ensure that the co-ordinator and SEN staff have adequate time and resources (including administrative support) to enable them to fulfil their responsibilities in a similar way to other important strategic roles within the setting.
- ensure that the co-ordinator is able to influence strategic decisions about SEND.
- ensure that the preparing for adulthood agenda is embedded into SEND systems.
- ensure all staff in the setting understands their role and responsibilities in ensuring high quality SEND provision is in place.
- ensure arrangements are in place for parents and carers - and young people themselves - to be regularly engaged in discussions about the progress of their young person.
- ensure a process is in place for involving parents and young people in reviewing provision and planning for those currently with an EHC plan, a SEN support plan and any newly identified students with SEND.

Responsibilities of teachers in Post 16 settings may include:

Subject teachers are at the heart of a high quality SEND support system in Post 16 provision, helping the SEN department by being a central part of the four stages (assess, plan, do, review) of action.

The subject teacher should:

- focus on outcomes for the young person - be clear about the outcome wanted from any SEND support.
- be responsible for meeting special educational needs within the classroom; utilising the knowledge and skills of the SEND staff to support the quality of teaching and evaluate the quality of support.
- have high aspirations for every student - set clear progress targets for students and be clear about how the resources are going to help achieve this.

Responsibilities of support staff in Post 16 settings may include:

Support staff (LSA/TAs) are an important part of the setting's approach to SEND, working in partnership with the subject teacher and the wider SEN department to deliver good quality outcomes and to prepare students for adulthood.

Support staff should:

- have the skills and understanding to work with students with a wide range of special educational needs and/or disabilities.
- be given the time to liaise with classroom/subject teachers to plan effectively together.
- be given the opportunity to contribute to review meetings about the students in their care.

Publishing your SEN offer/SEN policy

Unlike settings, there is no legal requirement to publish a SEN Information Report on your website. However it is good practice to publish your general SEN offer - this may be via a SEN policy.

Colleges and Post 16 providers should have a clear SEN policy available to all. This would usually link with other policies, such as Teaching & Learning, Behaviour, Equality objectives etc.

If you do want to follow the SEN Information Report format, then guidance can be found in Section 2b of the Toolkit.

Maintenance of SEN records

Settings should follow GDPR guidelines and work with your named data controller. However the information below sets out some general guidance for good practice.

Settings need to take relevant steps to meet the individual needs of all students with special educational needs. The co-ordinator (or SEN department) should have responsibility for

ensuring that these records (paper copy and electronic) are properly kept and available as needed.

Settings should ensure:

- SEND files (paper records) are kept securely at all times (including details of access arrangements).
- only authorised IT systems and secure email accounts are used.
- electronic SEND files are password protected.
- line manager approval is sought before taking paper records off site. This should only happen when it is absolutely essential to do so, and there is no alternative method for accessing or recording the information required (e.g. scanning or accessing online via encrypted portable IT equipment).
- where paper records have to be taken off site, only the minimum amount of personal or other confidential data necessary for the job in hand should be removed. Where possible, data should be anonymised.
- memory pens containing confidential data are encrypted. As with paper records, these should be taken off-site only in essential circumstances with the minimum information on the pen.
- they check email addresses, content and attachments before sending any documents to secure email addresses.
- when passing over paper copies of student files they should complete an acknowledgement form that is signed and dated by both parties.

In addition, settings should be aware of:

- consent to share (from young person of 16 years +), including sharing **'My story'**.
- joint parental responsibility (and therefore sharing information with everyone that is legally entitled).
- protected addresses that should not be shared on any document.

Additional needs register

It is good practice for a Post 16 provider to keep a register of additional needs. These usually include:

- SEN (across all 4 areas of need)
- Disability and/or Medical needs;
- English as an Additional Language students
- Care Leavers or Previously Looked After
- Cause for concern or monitoring (these can be used for a wide range of tracking for example: literacy or behaviour interventions).

Other individual needs

It is very important that the SEND department and pastoral colleagues meet regularly as there may be an overlap with SEN and other needs (see below). This will ensure that:

- all students benefit from early identification.
- holistic planning and provision is made to meet the individual needs of all the young people in their care.
- all records are up to date and accurate.

The needs described below are not in themselves, indicators of a young person having a SEN. However when dealing with these issues, consideration should be given to whether a young person may have any underlying and un-met needs, such as a SEN.

a) Attendance

Attendance may be affected by a variety of reasons and should be addressed through the setting's policies. Persistent attendance issues may have an impact on educational progress, and the setting may need to put some relevant intervention in place, but this does not necessarily mean a young person or young person has a SEN.

b) Specific medical difficulties

Where young people have specific and potentially serious medical conditions (e.g. allergies, diabetes, epilepsy) it is important that staff know what should be done to ensure their general wellbeing, and how to deal with emergencies. It is good practice to place the relevant young people on the medical register and this should be shared with all staff.

c) Minor/short term difficulties

A block of treatment - such as physiotherapy or speech and language therapy - for example following an accident does not constitute a special educational need when the difficulty is known to be relatively short term, and has no impact on progress or other areas of need.

d) Care Leavers or Previously Looked After young people

There may be issues that affect these young people, such as: family or living arrangements, attachment difficulties or trauma, which may affect aspects of the young person's social and educational progress. Careful monitoring is needed to ensure any all needs are met and there is a clear distinction between what constitutes a special educational need for these students.

e) English as an Additional Language (EAL)

Young people whose first language is not English may require additional support to access the curriculum. Where this support is needed solely for their lack of English it does not constitute a special educational need. However identifying and assessing SEND for

students whose first language is not English requires particular care. Settings should look at all areas of difficulties to establish whether a lack of progress is due to limitations in their command of the English language or if it arises from a SEN or disability.

f) Below average attainment

Slow progress and underachievement do not, in themselves, constitute a special educational need. Such young people should have their needs met by quality-first teaching, differentiation of the curriculum and access to support in the classroom. Where such provision is sufficient to enable progress, young people should not be registered as having a special educational need.

However, settings must monitor this progress robustly to ensure young people/young people are assessed correctly and any unmet need is identified in a timely manner.

g) Behaviour that challenges

There are a small number of young people who present with behaviour that challenges. Whilst 'behavioural difficulties' in themselves do not constitute a special educational need, careful consideration should be given to considering the factors that might be underpinning the behaviour. For example, staff need to consider whether or not there is:

- an underlying learning difficulty; or
- a social, emotional or mental health need; or
- a developmental difficulty.

Settings should have a robust monitoring system in place to track students' behaviour, via behaviour support plans. It may be appropriate to consider these in terms of an 'assess, plan, do, review' cycle as this would be evidence of a graduated approach. SEN staff should meet regularly with other pastoral staff should meet regularly to provide a holistic view of and approach to young people and young people with behaviour that challenges.

Broad areas of special educational need

Even the most detailed guidance cannot fully reflect the complexity and subtlety of an individual student's needs, and the implications of these for education. The determining factor for a young person being identified as having SEN must be educational issues. A detailed assessment of need should ensure that the full range of a young person's need(s) are identified so that the support provided is based on the understanding of the student's strengths and needs and this evidence will ensure interventions are targeted at their area of difficulty. Assessment could be through in-setting investigations, and/or specialist advice.

Young people may have other difficulties such as housing, family or other domestic circumstances which should be addressed through a multi-agency approach.

The definition of SEN set out in the SEND Code of Practice 0-25 years is deliberately broad due to the wide spectrum of difficulties that can lead to a young person experiencing problems in learning. The SEND Code of Practice 0-25 years narrows this spectrum into four areas of SEN, with the intention of helping settings and others to plan their provision and to focus on relevant and high quality interventions. Young people may experience difficulty in more than one area:

- Cognition & Learning
- Communication & Interaction
- Social, Emotional & Mental Health
- Physical & Sensory.

Cognition & Learning

Support for learning difficulties may be required when young people learn at a slower rate, or in a different way to the majority of their peers, even with appropriate differentiation. Learning difficulties cover a wide range of needs, including:

- Moderate Learning Difficulties (MLD)
- Severe Learning Difficulties (SLD)
- Profound and Multiple Learning Difficulties (PMLD)
- Specific Learning Difficulties (SPLD)

When promoting the learning and development of young people with cognition and learning needs it is important to consider both the young person's difficulties and strengths as well as the modifications and adaptations in the learning environment and teaching style.

Moderate Learning Difficulties (MLD)

Students with MLD will have attainments well below expected levels in all or most areas of the curriculum, despite appropriate interventions. They will have greater difficulty than their peers in acquiring basic literacy and numeracy skills and in understanding concepts. They

may also have associated speech and language delay, low self-esteem, low levels of concentration and underdeveloped social skills.

Settings need to plan on the basis of a detailed picture of what the barriers are for an individual student in relation to a particular aspect of learning, rather than on the basis of the category the student is placed in for the census.

For example the student may:

- need feelings such as anxiety or panic to be understood,
- need a high level of encouragement (more than the most students),
- prefer help to be given discreetly,
- prefer support from peers or others who have struggled with the same learning process, rather than from specialists, adults or older learners,
- prefer learning to be broken down into small steps, so as to tackle one manageable piece at a time,
- need help to see the 'big picture',
- need lots of examples or demonstrations
- need opportunities to practise using a 'scaffolding' approach – providing support, such as doing part of the task alongside the learner and then slowly withdrawing the support as they become more competent
- need clear instructions and models, repeated as often as necessary to support retention.

Severe Learning Difficulties (SLD)

Young people with SLD are likely to find it difficult to understand, learn and remember new skills. Young people with severe learning difficulties have acute global development delay and intellectual or cognitive impairment, coupled with possible sensory, physical, emotional and social difficulties, which will make it difficult for the young person to follow the curriculum without substantial help and support. These difficulties may be further compounded by poor co-ordination, and they may use symbols, or signing to help with communication.

A young person with SLD will require support in gaining independence and/or self-help and social skills and it is likely that most areas of academic achievement will be affected. When supporting young people with SLD it is important to respond proactively and modify/adapt practices and services to meet their individual needs.

Profound & Multiple Learning Difficulties (PMLD)

Learners with profound and multiple learning difficulties (PMLD) have complex learning needs. In addition to their severe learning difficulties, they may have other significant difficulties, such as physical disabilities, sensory impairment or a severe medical condition. These learners require a high level of adult support for their learning needs and are likely to need sensory stimulation and a curriculum broken down into very small steps.

Specific Learning Difficulties (SpLD)

SpLD is an 'umbrella' term that indicates that students may have a particular difficulty in an area of learning and their performance in these areas is below that in other areas. Students with SpLD cover the whole ability range and the severity of their impairment varies widely. It is better to explore the nature of a young person's strengths and the impact of their difficulties rather than concentrate on the condition they have. However, it must be acknowledged that persistent and significant difficulties with literacy or numeracy acquisition are sometimes referred to as dyslexia or dyscalculia, but more importantly, assessment over time leads to an understanding of where the concerns lie and what helps. Terms such as 'dyslexia' and 'dyscalculia' do not in themselves describe the learning profile or the type of support that would be helpful for an individual.

Some common characteristics of SpLD can be:

- memory difficulties
- organisational difficulties
- writing difficulties
- visual processing difficulties
- reading difficulties
- spelling difficulties
- manipulating numbers
- auditory processing difficulties
- visual stress
- time management difficulties
- sensory distraction: an inability to screen out extraneous visual or auditory stimuli
- sensory overload: a heightened sensitivity to visual stimuli and sound; an inability to cope with busy environments.

Communication & Interaction

Young people with speech, language and communication needs (SLCN) may have difficulty in communicating with others. This may be because they have difficulty saying what they want to, understanding what is being said to them or they do not understand or use social rules of communication. The profile for every young person with SLCN is different and their needs may change over time. They may have difficulty with one, some or all of the different aspects of language, communication and imagination.

There are sometimes overlaps between speech, language and communication needs and other conditions such as Autism Spectrum Conditions (ASC) (including Asperger's Syndrome); Cognition & Learning difficulties, Attention Deficit Hyperactivity Disorder (ADHD); Social needs or emotional difficulties; Mental Health issues; Hearing Impairment and Specific Learning Difficulties (SpLD).

Although young people can be identified as having SLCN as a primary need, we know that young people in the majority of the other areas of need will also have associated SLCN. Each young person with SLCN is different, so it is better to look at the nature and impact of their difficulties rather than the condition they may have.

Social, Emotional & Mental Health

SEMH is an overarching term for young people who demonstrate difficulties with emotional regulation, social interaction or who are experiencing mental health problems. If a young person is presenting with these difficulties, it is also important to consider whether these are linked to needs in other areas of their development, such as communication and interaction. Young people who have difficulties with their emotional and social development may have immature social skills and find it difficult to make and sustain healthy relationships. These difficulties may be displayed through the young person becoming withdrawn or isolated, as well as through challenging, disruptive or disturbing behaviour. These could manifest as difficulties such as low mood which might be linked to anxiety or depression, problems of mood (anxiety or depression), problems of conduct (oppositional problems and more severe conduct problems including aggression), self-harming, substance misuse, eating disorders or physical symptoms that are medically unexplained. Some young people may have other recognised disorders such as ADD, ADHD or Attachment Disorder, Autism or Pervasive Developmental Disorder, an anxiety disorder, phobias, a disruptive disorder or, rarely, schizophrenia or bipolar disorder.

Students with Attention Deficit Hyperactivity Disorder (ADHD) and Attention Deficit Disorder (ADD) may display impulsive, hyperactive, or inattentive behaviour. The young person may appear 'naughty' or 'badly behaved' and can struggle in the educational and home settings, often challenging to adults.

Inappropriate, disturbing and/or challenging behaviours can be interpreted as a symptom or communication of an underlying need or difficulty. It is crucial to identify, understand and then address/support the underlying factors that impact on young people and young people, such as SLCN, attachment difficulties, unhelpful thought processes or learning needs in order to address these behaviours.

The majority of inappropriate, disturbing and/or challenging behaviours can be avoided or at least significantly reduced and managed through proactively promoting and supporting positive social, emotional and mental health. The potential implications of unmet SEMH needs for education settings, individuals and their families can be extreme.

Young people with SEMH will often feel anxious, scared and misunderstood.

Typical characteristics of young people with SEMH can include:

- disruptive, antisocial and uncooperative behaviour
- temper tantrums
- frustration, anger and verbal and physical threats / aggression
- appearing to be withdrawn and depressed
- anxiety based setting refusal

- displaying anxiety or self-harming
- self-harm
- avoidance
- truancy
- substance misuse.

Sensory and/or Physical Needs

Some young people require special educational provision because they have a disability which prevents or hinders them from making use of the educational facilities generally provided. These difficulties can be age related and may fluctuate over time. Many young people with Visual Impairment (VI), Hearing Impairment (HI) or a Multi-Sensory Impairment (MSI). Young people with a MSI have a combination of vision and hearing difficulties and will require specialist support and/or equipment to access their learning, or habilitation support. Some young people with a physical disability (PD) require additional ongoing support and equipment to access all the opportunities available to their peers.

Students with developmental Co-ordination Disorder (DCD) can be severely affected by an impairment or immaturity of the organisation of movement, often appearing clumsy. Gross and fine motor skills are hard to learn and difficult to retain and generalise. Students may have poor balance and coordination and may be hesitant in many actions (running, skipping, hopping, holding a pencil, doing jigsaws, etc.). Their articulation may also be immature, their language late to develop, and they may also have poor awareness of body position. Some students may also have memory difficulties and as stated above, there are sometimes overlaps between areas of need so a holistic approach to the individual young person's needs is required.

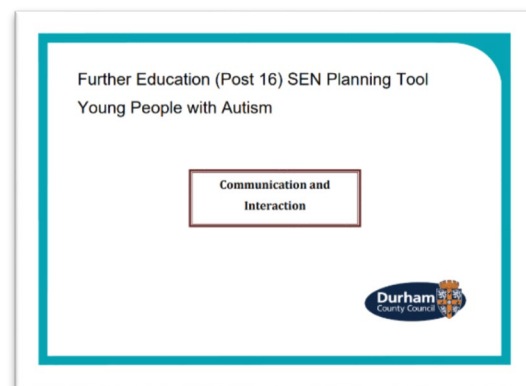
*There are leaflets for parents on the [Local Offer site](#) explaining the different types of special educational need and how schools can support young people and young people. Post 16 providers may also find these useful alongside the SEN Post 16 Planning Tools.



Post 16 planning tools

To help settings plan for the different special educational needs, we have devised 'Post 16 [SEN planning tools](#)', which can be found on the ['Supporting SEND as part of the graduated approach'](#) webpage. These are:

- Speech, Language and Communication needs
- Physical difficulties
- Hearing Impairment
- Visual Impairment
- Autism
- Social, Emotional and Mental Health difficulties
- Learning difficulties
- Anxiety/anxious/setting refusal.



These tools describe the type of support that all educational settings should be making for young people with different areas of need. The named SEN co-ordinator should ensure all staff are using these as part of planning, outcome setting and assessment, so all students needs can be met and all students are supported to make sustained progress.

In 2019 - 2020, the local authority are hoping to work with a range of Post 16 providers to publish specific Post 16 leaflets and to have updated the Post 16/FE Planning Tools too.

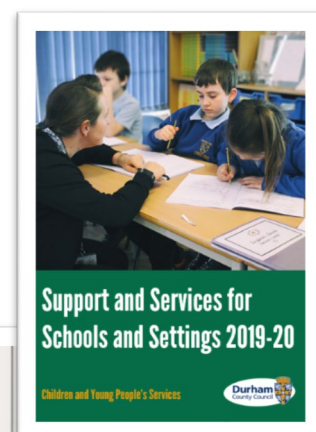
Training for staff

The Local Authority have a wide variety of teams with expertise in different areas that can adapt training content to suit a Post 16 provider's needs. These include:

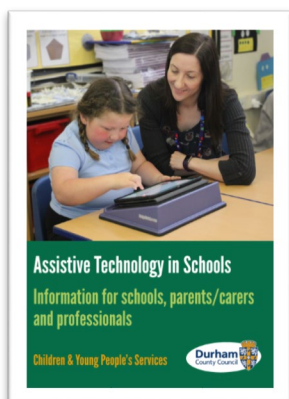
- all aspects of the co-ordination of SEN provision (including quality of SEN support and EHC plans).
- meeting individual young people's needs in Cognition & Learning; Speech, Language & Communication, Social, Emotional & Mental Health and Physical & Sensory.

Details of what the service can offer and the service level agreements can be found in our ['Support and services for schools and settings'](#) booklet.

Also see [SEND & Inclusion course directory](#).



Further information can also be found on the [Local Authority Education Portal](#) under [‘Inclusion’/ SEND & Inclusion/SEND Support](#).



Graduated approach in Post 16 + settings

There is an expectation that all Post 16 providers follow an Assess, Plan, Do, Review (APDR) cycle. Providers should be regularly in touch with the local authority on the progress of those students with EHC plans and those learners with High Needs funding. There is further guidance on APDR outlined on the next page.

Requesting an EHC plan

Post 16 providers and any young person aged 16 + with a learning difficulty or disability who is in education or training have the right to request an EHC needs assessment (unless one has been carried out in the last 6 months). Further detail is provided in the Code of Practice and in the ‘How to’ guides in section 5 of the toolkit.

Reviewing an EHC plan in Post 16

From Year 12 onwards post 16 providers will follow the usual EHC plan annual review arrangements. Post 16 providers are to invite the SEN Casework team to attend if there are risks to the young person’s placement or if it is a transitional year and support is required to identify progression routes. If the placement breaks down at any point an emergency annual review must be called with the SEN Casework team. DurhamWorks should also be invited in order to identify a relevant alternative placement or to cease the EHC plan.

N.B. If you have concerns about the provision of a young person with an EHC plan, do not wait until the annual review date. There is more information about this in: ‘What to do if a setting is concerned about the provision for a young person/young person with an EHC plan’ at the end of this section.

Requests for emergency placements in Post 16 settings

This would be in very exceptional circumstances. Further information is at the end of this section.

Graduated approach in Post 16 education

Assess

- Colleges and other post 16 education settings should establish a clear analysis of a young person's needs. This will draw on assessments and experience of the young person as well as progress, attainment and behaviour information.
- The designated person/team should record any concerns raised by the parent/carer and compare them against their own assessment and information about the young person's development.
- It will draw on an individual's development in comparison to their peers, the views and experience of the parents/carers and young person and advice from external support services.
- There must be a regular review of the assessment.
- Support must be matched to the needs of the young person.



Plan

- When a College or education setting make decisions that a young person requires additional support, they must notify the young person, parents/carers and where necessary, other parties and external agencies.
- The designated person/team should agree, in consultation with the young person, parents/carers and where necessary, other parties and external agencies, the interventions and support arrangements as well as the expected impact on progress, development or behaviour.
- The designated person/team must set the date for review.
- The designated person/team must inform all staff who work with the young person.
- The support and intervention should be based on reliable evidence of effectiveness and provided by staff with relevant skills and knowledge.



Do

- The educational provider remains responsible for working with the young person.
- Any support and intervention should be based on reliable evidence of effectiveness and provided by staff with relevant skills and knowledge.



Review

- The designated person/team should review the effectiveness of the support by the agreed date.
- The impact and views of the young person, parents/carers and as appropriate other parties and external agencies should feed back into the analysis of the young person's needs.

Supporting young people to express their views

From year nine onwards, local authorities, settings, colleges and other agencies involved in the planning for a young person's transition to adult life should help them and their families prepare for the change in legal status once a young person is over compulsory setting age. The Local Authority and other agencies should establish what support he/she needs to express views, and how the family should be involved. Settings and colleges should involve the families of young people with SEN in discussing their needs and their progress where that is their usual policy for students; and ensure they have arrangements in place to contact the family if necessary where they have safeguarding, welfare or other concerns.

When a young person is over compulsory setting age it is their views that take precedence over those of their parents, in respect of assessments and Education Health and Care Plans. Where there is a conflict of interests between the young person and the parent, it is the view of the young person that prevails, for example, in respect of the educational setting the young person wishes to attend. A decision by a young person to choose a particular post 16 provider will typically involve discussion with their family and others, but the final decision will be with the young person. However, the right of the young person to make a decision is subject to their capacity to do so as set out in the Mental Capacity Act 2005.

Although the decision rests with the young person, a young person can ask any family member or other advocate to support them in any way they wish.

Some young people will require support from a skilled advocate to ensure that their views are heard and acknowledged. They may need support in expressing views about their education, the future they want in adult life and how they prepare for it, including their health, where they will live, their relationships, control of their finances, how they will participate in the community and how they will achieve greater autonomy and independence. Settings and colleges working directly with young people should also involve their family in, for example, discussions about their study programmes and support.

For young people aged over 18, the Young people and Families Act requires local authorities to have regard to their age when:

- forming an opinion about whether to conduct an assessment.
- making a decision, following an assessment, about whether to issue an EHC plan.
- reviewing an EHC plan or deciding whether to secure a reassessment; and
- determining it is no longer necessary to maintain an EHC plan.



Transition to Post-16

There is a dedicated transition section as part of the toolkit for schools to follow when they are passing on information to post 16 providers. The post 16 settings have an important role to play in working with settings to support young people with SEN to make a successful transition into post-16 education or training.

It is the responsibility of the school setting to share the SEN Support Plans and all accompanying relevant information (including exam concession information) with the identified post 16 education provider. However it is a two-way process and colleges should be active in ensuring this information is received in a timely manner. Therefore it is good practice to have a system in place in order to do so which can be agreed between individual institutions following all associated GDPR and consent to share guidance.

Learners will complete a diagnostic and initial assessment; this information will support the implementation of a SEN support plan if required and longer term outcomes for those with an EHC plan.

In County Durham we have further support available for young people and their transition offered via DurhamWorks, part of the Progression and Learning team with Durham County Council. Settings will be contacted towards the end of the academic year by DurhamWorks in order to identify those young people for whom transition may prove difficult and therefore could be at risk of becoming 'not in employment, education or training' - widely known as 'NEET' - in year 12. DurhamWorks will work with the setting to agree how to engage these young people in support and activities over the summer to ensure a successful progression into education, employment or training.

.Where the young person has an EHC plan the responsibility for identifying a suitable post 16 option for these young people is with the DurhamWorks Progression Advisers in the Progression and Learning Team and the SEN Casework team at County Hall. DurhamWorks will offer Careers Education, Information, Advice and Guidance - known as 'CE/IAG' – as well as interventions and support over the summer in collaboration with the SEN Caseworker who will update the EHC plan to reflect the identified post 16 setting. Post 16 providers should have the opportunity to be involved in the development of the provision and outcomes in an individual's EHC plan prior to the young person arriving in their setting which will include planning for their transition. If this has not been possible, then an early monitoring of the plan should take place in the autumn term - settings should liaise with the caseworker for further guidance.

Post 16 pathways

As mentioned earlier there are a number of options open to young people when entering the world of post 16 education and training. Young people with SEN Support Plans and those with EHC plans have the same full range of opportunities that all young people have.

However, there is also more specific programmes tailored to young people with Special Educational Needs. Below is a short summary of these opportunities and pathways.

Study programmes (via local further education provision and training providers)

Study programmes have been in place since 2013, and all post-16 providers, regardless of setting, are expected to offer each student a study programme which is coherent, appropriately challenging and supports the progression of the individual.

They are publicly-funded learning programmes for 16 to 19 year olds. They are also for 19 to 25 year olds where the student has an Education, Health and Care plan. They are based on a young person's prior attainment and are designed to meet clear educational and career aspirations. All students should be following study programmes, including those taking A levels.

Many students with SEND access mainstream vocational or academic programmes, with some additional support. Their study programme follows a standard pattern: a substantial qualification accredited English and Maths, though not necessarily at GCSE level; an element of work experience and some non-qualification activity, such as tutorial time. For students with SEND who are following more personalised programmes designed to increase employment and independent living outcomes, study programmes vary considerably. Providers are free to design programmes to meet their individual students' needs, provided they adhere to the principles for programmes of study, published by the DfE.

This means that all study programmes for students with SEND must:

- enable students to build on existing skills and knowledge, and represent progression (lateral or vertical) from their assessed starting point.
- provide stretch and challenge and support students to progress towards their intended outcomes.
- include relevant aspects of English and Maths.
- include work experience to support the development of employability skills and create potential employment options (except where this is demonstrably inappropriate).
- enable students to develop the skills, attitudes and confidence that support independence.

Specialist sixth forms & specialist independent colleges

Within County Durham there are a small number of specialist sixth forms within special schools. Students who attend the specialist setting - who must have an EHC plan - are identified to attend as part of the annual review process if it is felt their needs are better able to be met post 16 within this provision.

There are also a number of specialist independent colleges that exist within the North East and nationally for young people with SEND. In order to access such provision this must be done via the annual review process and would be determined on an individual needs led basis.

Supported internships

Supported internships are structured study programmes based primarily with an employer. Young people require an EHC plan to be able to access a Supported internship. They are intended to enable young people with learning difficulties and/or disabilities to achieve sustainable, paid employment by equipping them with the skills they need for work through learning in the workplace. Internships normally last for a year and include unpaid work placements of at least six months. Wherever possible, they support the young person to move into paid employment at the end of the programme. Students complete a personalised study programme which includes the chance to study for relevant substantial qualifications, if suitable, and English and Maths to an appropriate level.

Although similar in aims to a traineeship or apprenticeship, supported internships differ in key ways. Young people on supported internships are expected to require a higher level of support than a trainee or apprentice, and to be offered workplace support in the form of a job coach, as well as support for their non-workplace learning.

A key difference to traineeships is that interns are expected to need a longer programme than a trainee, for whom the maximum programme length is six months, before they are ready to progress to an apprenticeship or other sustainable employment. For more information about traineeships, see the framework for delivery of traineeships.

Apprentices, like interns, gain practical skills in the workplace. A key difference is that apprentices have to pass various qualifications or assessments, for example English and maths qualifications, to successfully complete their Apprenticeship. There are no entry or completion requirements for supported internships, and each learning provider will work with their interns to develop a personalised programme that meets their needs and provides progression and stretch. Like supported internships and traineeships, young people who undertake apprenticeships can retain their EHC plans while they are participating.

The aim of supported internships is to prepare young people with complex needs for paid employment by:

- supporting them to develop the skills valued by employers.
- enabling them to demonstrate their value in the workplace; and
- developing confidence in their own abilities to perform successfully at work.

Whilst the ideal outcome from a supported internship will be the offer of a paid job from an employer, possibly the employer who hosted the intern's work placement, other outcomes include:

- building up experience for a CV, demonstrating that the young person has the skills and willingness to work.
- changing the perception of employers about employing people with learning difficulties and/or disabilities.
- changing the perception of the young person's family that they can work.
- improving skills in English and Maths that enable the young person to be better prepared for work, including handling money, interacting with the public.
- independent travel training.

Supported internships are recorded as part of the Individualised Learning Record (ILR). Within County Durham the Local Authority are working with a number of post 16 providers to increase the number of supported internships on offer. From September 2019, a number of providers will be offering Supported Internships namely; East Durham College, Bishop Auckland College, Adult Learning and Skills Service (ALSS), Project Choice (NHS, Health Education), The Oaks Sixth Form and Thornbeck College (specialist provision only).

If young people are interested, they can contact the Supported Internship Co-ordinator at durhamworks@durham.gov.uk and see 'Supported Internships' or contact the team on 03000 262 930 . There are also helpful links for: 'Study Programme Guidance' and 'High Needs Funding' in the 'Useful resources' section under the 'Preparing for Adulthood' at the back of this booklet.

Traineeships

A Traineeship programme has been a life changing opportunity for a number of young people living in County Durham. Learners attend a bespoke 26 week programme of study providing individual learning and support, to teach them the skills and knowledge that employers are looking for and prepare them for employment. There are no minimum standards required to go on to a traineeship but willingness and motivation to enter in to employment is required. A number of providers offer Traineeships, please contact your local post 16 FE provider to find out more.

Adult Learning and Skills Service (ALSS) have been offering tailored SEND Traineeships for young people since Sept 2018 and will be continuing this into 2019/20. They are located in a community setting with the young person working on a personalised programme of learning and work experience, if you would like to find out more about these opportunities please contact Allison Rice, Programme Lead SEND at alls@durham.gov.uk or 03000 266 115.

Apprenticeships

An apprenticeship is a work-based training programme which encompasses substantial training and the development of transferrable soft skills. Most apprenticeships can be

delivered entirely in the workplace, with a dedicated assessor visiting the apprentice once a month to review their progress and set new targets. Apprenticeships are available to new and existing employees and usually take between one to four years to complete, depending on the level and course. The minimum standard for an apprenticeship is usually a level 2 qualification. A young person aged 16 – 18 years earns as a minimum £3.30 an hour with 19 years plus gaining the national minimum wage.

If you would like to know more about Apprenticeships and how to access them support is available via the DurhamWorks website – www.durhamworks.info and/or contact your local post 16 FE provider for further details.

Community learning

Community learning includes a range of community-based and outreach learning opportunities. This broad range of provision - usually non-accredited - brings together adults (often of different ages and backgrounds) by helping them to pursue an interest, address a need, gain a new skill, become healthier, or learn how to better support their young people. Once a learner's needs are identified support may include:

- additional support/tutorial support
- one-to-one classroom support
- social skills
- differentiating the curriculum
- providing additional resources
- independent living training
- study skills.

Further information on Community Learning offers can be found via the Local Offer, Adult Learning & Skills Service (ALSS) and the Voluntary and Community Sector (VCS) or by contacting local community centres and/or FE providers in the area.

DurhamWorks

Within County Durham we have an offer of support for young people who are Not in Education, Employment or Training (NEET) which includes those young people with SEND (with or without an EHC plan). Young people will receive Information, advice and guidance from a dedicated member of the DurhamWorks team who will work on identifying a pathway into employment suitable for the individual.

The offer can include provision based in the community dedicated to young people with SEND, often tailored to meet their needs. Examples include programmes for young people

with SEMH needs and for those who are Autistic with outcomes focusing on progression into Employment.

For further information or to make a referral, please utilise the information and contact us on the DurhamWorks website – www.durhamworks.info

Non-accredited provision (RARPA)

Recognising and Recording Progress and Achievement (RARPA) is the process which measures progress and achievement of students on non-accredited learning programmes. The benefits of the RARPA process are:

- it demonstrates outcomes in personalised, non-accredited learning as part of study programmes.
- it is consistent with the clear focus on preparing for adulthood and positive outcomes within the Young people and Families Act 2014 and SEND Code of Practice 0-25 years.
- initial assessment to establish the learner's starting point.
- identification of appropriately challenging learning objectives: initial, renegotiated and revised.
- recognition and recording of progress and achievement during programme (formative assessment): teacher feedback to learners, learner reflection, progress reviews.
- end-of-programme learner self-assessment; teacher.

Please see link in appendix for more information.

Travel

Post 16 students may be able to obtain assistance with travel if they are unable to travel independently. To be eligible for travel assistance a student must meet the criteria as set by Durham County Council, Home to Setting Transport. Further information can be obtained from the following website: <http://www.durham.gov.uk/settingtransport>

The 16-19 funding model

Funding for students with additional support costs below £6,000 is provided within the institution's disadvantage funding, calculated within their mainstream 16-19 funding allocation. (See the Education and Skills Funding Agency (ESFA) Funding education for 16 to 19 year olds guidance at: <https://www.gov.uk/guidance/16-to-19-education-funding-guidance>)

Students who require more than £6,000 of additional education support are treated as high needs students. By 'additional education support', the Education and Skills Funding Agency

mean the support an individual student needs in order to access and achieve their course of study, over and above the core programme costs of that course. The principle is that, where students have health and social care needs, the appropriate support should be provided by the appropriate agencies.

High needs funding arrangements:

- Post 16 places in Special Settings, Special Academies and Non- Maintained special settings are currently funded at £10,000 per place.
- Post 16 high needs students in mainstream settings and academies, Further Education (FE) providers, Commercial & Charitable Providers (CCPs) and Special Post 16 institutions (SPIs) are funded on the basis of elements 1 and 2. Change to

Element 1 funding:

- Element 1 funding is provided for all students on study programmes at that institution. The funding is provided direct to the institution.
- The majority of post 16 providers are funded on a lagged student basis using the national post 16 funding formula; i.e. the total allocation of element 1 is based on the numbers of students at that institution the previous academic year.
- Post 16 providers within this group (for example FE providers; CCP's, maintained settings; academies and SPI's) should not seek funds from local authorities for any shortfall in element 1 as this shortfall would be rectified in the lagged allocation the following year.

Element 2 funding:

- Element 2 funding provides the first £6,000 towards the additional support costs for high needs students directing from ESFA to the institution.
- This element is not intended to meet the needs of students with support costs lower than £6,000.
- Allocation of place funding is made well ahead of the beginning of the academic year to allow institutions time to plan and manage resources and provision.
- Allocations of place funding do not always reflect subsequent commissioning and placement decisions by local authorities.
- Local authorities have the opportunity to request changes to place numbers during the previous academic year (November).

Element 3 funding:

- Also known as 'top up' funding - this is any funding the individual student requires above the first two elements, and is negotiated and agreed with the student's home local authority.
- This is paid directly to institutions by the local authority.

Further information can be found out the ESFA website and the fair pricing framework. The local authority are currently working with post 16 providers to improve the current high needs application process. If settings need further assistance, they should contact their allocated caseworker in the first instance.

Creative approaches to funding

Some providers have been exploring creative approaches to funding, for example through use of individuals' personal budgets to enable extra support within a learning programme or for additional enrichment activity to complement the learning. Others are discussing with their local authorities the concept of 'braided' funding, drawing together funding for learning with funding for adult social care and or health services, to create holistic approaches.

Sixth-forms

High needs place funding and 16-19 bursary funding for post-16 places in maintained settings and Pupil Referral Units (PRUs) with mainstream sixth forms will continue to be funded through the sixth form grant in 2019 to 2020, but to enable flexibility both of these funding streams will be funded at local authority level rather than institution level. Local authorities will be able to agree post-16 places in maintained settings and PRUs at a local level, without reference to ESFA and distribute alongside any 16-19 bursary funding as appropriate to institutions.

Post-16 places in maintained special settings, special academies, special free settings and are funded at £10,000 per place, the same as pre-16 high needs places.

High needs places for post-16 students in mainstream maintained settings, academies and free settings, including those in SEN units or resourced provision, will be funded on the basis of elements 1 and 2.

SEND in Post 19

Introduction

In terms of meeting the needs of learners with SEND, the same processes apply to post 19 settings as it does to post 16. However there are some differences regarding the issue and maintenance of EHC plans, which is set out below.

New requests for an EHC plan

All young people aged 19 to 25 with a learning difficulty or disability **who are in education or training** have the right to request an EHC needs assessment (unless one has been carried out in the last 6 months).

Examples of when this might happen include:

- when a young person has a brain injury following illness or accident.
- when they have been out of learning for an extended period.
- those with degenerative conditions.

Where the local authority judges that an assessment is not necessary, the young person has the right to appeal to the First Tier Tribunal about this decision. More information on resolving disagreements can be found in Chapter 11 of the SEND Code of Practice 0-25 years.

Issuing an EHC plan

After a young person has been assessed, the local authority has to decide whether an EHC plan is necessary by following:

- Section 37 of the Young people and Families Act
- The SEND Code of Practice 0-25 years.

The Local Authority must also consider whether the young person requires more time, in comparison to others of the same age who don't have SEND, to complete his or her education or training.

The outcomes specified in an EHC plan for a 16 to 25 year-old should be focused on meeting their aspirations and preparing them for adulthood – and specifically from aged 19 onwards.

Maintaining EHC plans

In line with preparing young people for adulthood, a local authority must not cease an EHC plan just because a young person is aged 19 or over. Young people with EHC plans may need longer in education or training to be able to achieve their outcomes and make an effective transition into adulthood. However, this does not mean that there is an automatic

entitlement to continued support at age 19 or an expectation that those with an EHC plan should all remain in education until age 25.

Ceasing EHC plans

Section 45 of the Young People and Families Act sets out the circumstances when a local authority may cease to maintain an EHC plan. This is when the local authority is no longer responsible for the young person, or they decide that it's no longer necessary to maintain the plan (for example if special educational provision is no longer necessary). The local authority must consider whether the educational or training outcomes specified in the plan have been achieved when the young person is aged over 18.

When a young person is close to finishing their education and training, the final annual review must be utilised to agree the support needed to help them engage with services after they turn 19. The provider must make a recommendation as part of the review meeting and the local authority will make the final decision. This also includes ceasing the plan if necessary.

Where a young person aged 18 or over leaves education or training before the end of their course, the local authority must not end the EHC plan without a review. The review should determine whether the young person wishes to return to education or training, either at the educational institution specified in the EHC plan or somewhere else.

If the young person does wish to return to education or training and the local authority decides that it's appropriate, then they must amend the EHC plan as necessary and maintain the plan. The local authority should seek to re-engage the young person in education or training as soon as possible.

Outcomes to prepare for adulthood

Young people should be supported to exercise choice and control over their lives, which includes the four 'preparing for adulthood' outcomes:

- moving into paid employment and higher education
- independent living
- having friends and relationships and being part of their communities
- being as healthy as possible

These should become more central to discussions and whether an EHC plan needs to be maintained as the young person gets older (and specifically after Year 9). Further information can be found in the PFA toolkit:

<https://www.preparingforadulthood.org.uk/SiteAssets/Downloads/yeded5wb636481748062535810.pdf> This is also located on County Durham's Local Offer website.

Reviewing an EHC plan

When a 19- to 25-year-old continues with an EHC plan, the local authority must review it at least annually as with all ages. The plan must contain outcomes which should enable the young person to complete their education and training successfully and move on to the next stage of their lives. This will happen at different stages for individual young people and EHC plans extended beyond age 19 won't all need to remain in place until age 25.

For young people with more complex needs who are likely to continue to need specialist support in adult life, services will need to work together at a local level to plan and fund a smooth transition. These include:

- young people's services
- adult social care
- housing and health.

This strategic planning, aided by joint commissioning and integrated services, will support a young person to:

- transition successfully to adult life
- receive the right support from adult services where needed.

Education, training and benefits

Students aged 19 to 25 with EHC plans who are continuing in education may have a range of options, including attending:

- further education
- training
- a supported internship
- an apprenticeship.

For more information on study programmes, see: 'Study Programme Guidance' link in the 'Useful resources' section under Preparing for Adulthood at the back of this booklet.

Local authorities should consider the need to provide young people with EHC plans with a full package of support across education, health and care 5 days a week, if appropriate.

Packages could involve amounts of time at different providers and in different settings and may include periods outside education institutions with appropriate support.

The package can include non-educational activities, such as:

- volunteering or community participation
- work experience
- independent travel training
- skills for living in semi-supported or independent accommodation

- training to develop and maintain friendships
- access to local facilities
- physiotherapy.

Local authorities will need to work with providers and young people to ensure there is a range of opportunities that can be tailored to individual needs, including the use of personal budgets.

A young person's progress whilst they have an EHC plan can be recognised in a variety of ways, including when they don't undertake formal qualifications. This includes RARPA (Recognising and Recording Progress and Achievement) - a 5-stage process to measure the progress and achievement of learners on non-accredited learning programmes.

Young people aged 19 can't remain in a special setting unless they're completing a secondary education course started before they were 18 years old. Special settings have the option of setting up a legally and financially separate entity to provide education for 19- to 25-year-olds, as advised in the 'High Needs Funding' link in the 'Useful resources' section under Preparing for Adulthood at the back of this booklet.

Higher Education (HE) study

The Education Funding Agency (EFA) funds some courses in higher education institutions (HEI) that are not prescribed higher education courses, meaning it's possible to have an EHC plan in these circumstances.

HEIs can use their EFA allocation to provide support for particular students, provided it meets the funding, study programme and eligibility criteria that EFA publish every year for 16 to 19 students (see High Needs Funding Guidance). Prospective students should be made aware that HEI providers are not legally bound by the Young people and Families Act 2014.

However, they are legally bound by the Equality Act 2010.

Studying at level 4 would be considered a positive outcome from an EHC plan, and a pathway to finding a good job. However, a young person studying at level 4 in an FE college would not be entitled to an EHC plan.

There are separate systems in place to support disabled young people in higher education (HE), including Disabled Students Allowances (see overview link in appendix). These are non-repayable grants that assist with the additional costs incurred by disabled students.

They apply to those studying HE in an FE environment. DSAs fund a range of support, including assistance with the cost of:

- specialist equipment.
- travel.
- non-medical helpers (for example sign language interpreters).

For more information see the DSA finance guide link in the appendix.

Supporting young people who are not in work via the job centre

0 to 25-year-olds who make a benefit claim will be invited to meet a work coach at the Job Centre. For those claiming Job Seekers' Allowance (JSA), this will be as soon as possible. For those claiming Employment Support Allowance (ESA) and presenting a fit note, this will be within 4 to 6 weeks of their claim. At the Job Centre, the work coach will discuss the young person's needs and any barriers to work. They'll then agree a plan of action (a 'claimants' commitment') detailing their plans to find work.

The Department for Work and Pensions (DWP) offers specialist employment programmes to support people into work. These include the Work Programme, Work Choice and the Specialist Employment Service. Work coaches will also signpost claimants to other local options. An Access to Work grant (see Access to work overview link in appendix) provides support to those with a disability or health condition who need help to work. Those with a longer term disability or health condition will have a Work Capability Assessment.

Joint working with Social Care and Health - general funding information

What is funded from the local authority's high needs budget would depend on the outcomes and needs specified in the young person's EHC plan. The local authority is responsible for putting the plan together and working with the Clinical Commissioning Group (CCG) and other partners to secure appropriate provision.

The high needs budget is expected to fund any special education described in Section F of the EHC plan. A local authority can jointly fund some education with its partners and may decide to add health or care funding to the education funding (Dedicated Settings Grant), to provide a full package of support for an individual.

The ESFA allocates place funding for students aged 19 to 25 with an EHC plan. The local authority's settings budget can't be used for 19- to 25-year-olds (with or without an EHC plan), unless they are completing a course started before they were 18 years old.

Funding for those with no EHC plan aged 19 +

Eligibility to receive public funding through the Skills Funding Agency (SFA) is the same for all eligible learners regardless of disability.

For students aged 19 and above who don't have an EHC plan, learner support funding (see overview link in appendix) may be available to help them meet:

- the additional needs of learners with learning difficulties and/or disabilities.
- the costs of reasonable adjustments as set out in the Equality Act 2010.

This support can cover a range of needs including:

- funding to pay for specialist equipment and helpers.
- arranging note takers.

- particular help in lectures and seminars.
- special arrangements for exams.

In all instances learners should contact their provider to confirm they're eligible for funding, and to check that the qualification they wish to study is funded by the SFA.

For students aged 19 to 25 without EHC plans, further education (FE) providers receive money from the SFA to meet the costs of reasonable adjustments. Under the Equality Act 2010, FE providers must make reasonable adjustments to avoid disabled students being placed at a 'substantial disadvantage'.

All aspects of studying are covered including:

- course admissions
- the provision of education
- access to any benefit, facility or service, for example flexible courses
- exclusions.

Private education and training providers also have duties under part 3 of the Young people and Families Act as service providers.

For further information on funding please see the "High Needs Funding Operational Guidance" website within the Appendix.

Considering health and social care needs

Decisions about whether a young person's EHC plan should be maintained after age 19 will depend on whether they'll need special educational provision to meet the outcomes set out in their EHC plan. If a young person has achieved the outcomes in their EHC plan by age 19 and there is no further educational progress that can be made, then no further special educational provision should be required after that age.

If a young person over the age of 18 continues to have an EHC plan, they may have social care and health needs. Each local authority's local offer must set out:

- the relationship between the Young people and Families Act 2014 and the Care Act 2014.
- how the requirements of both acts are being implemented locally.

It's critically important that CCGs and health providers work closely with local authorities to provide a coordinated and coherent offer to young people with social care and health needs after the age of 19.

The Care Act 2014 places a duty on local authorities to conduct transition assessments for young people or young people, their carers and young carers where there is a likely need for care and support after the young person turns 18.

Health

CCGs should use the 'National Framework for Continuing Healthcare' (see NHS funding for continuing Health Care link in appendix) to determine what ongoing care services young people should receive.

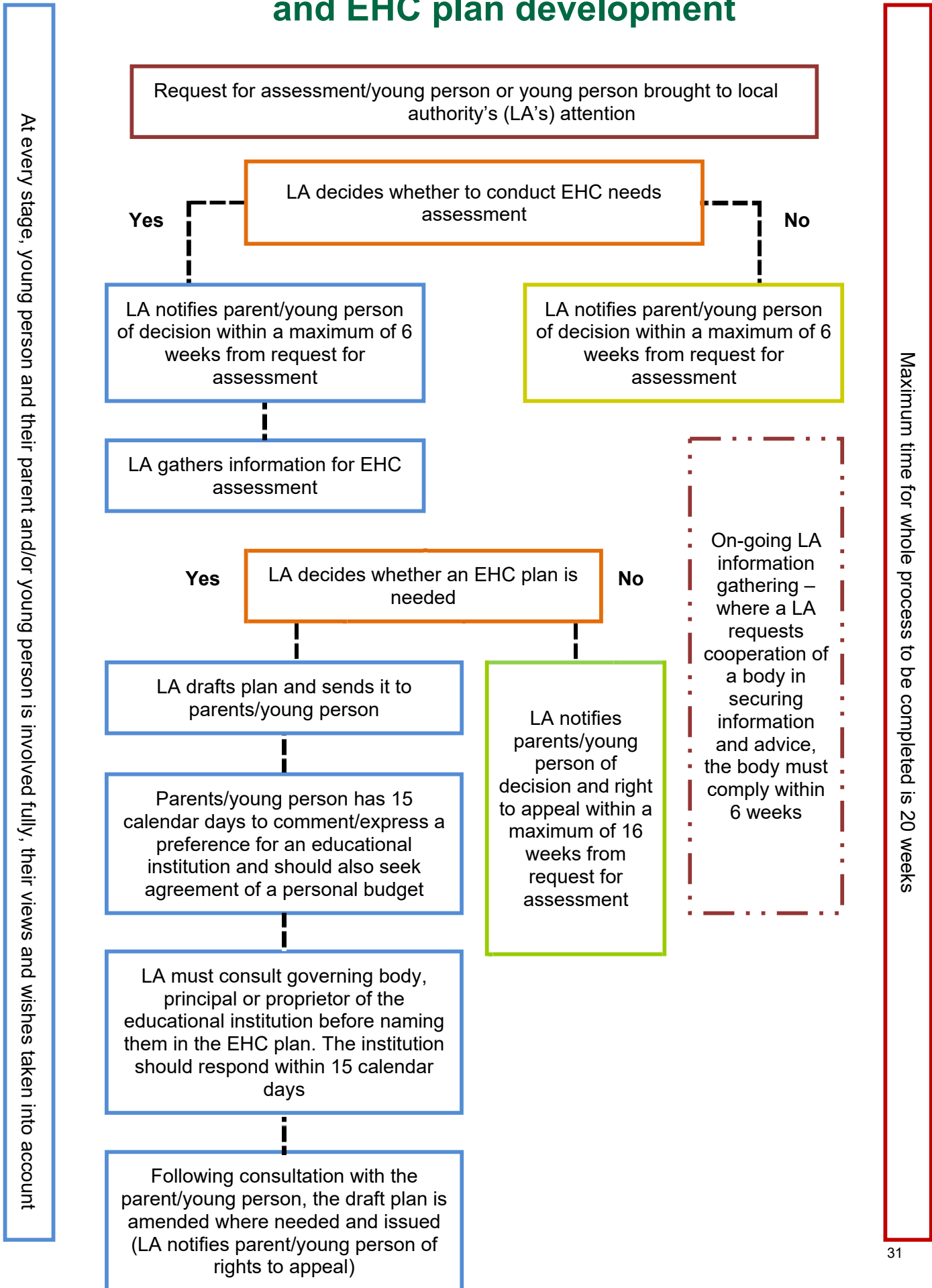
It's important that representatives from adult NHS continuing healthcare:

- attend transition meetings.
- support the development of a statutory care and support plan.
- input into EHC plans if appropriate.

Health and social care colleagues may also find it useful to look at the NICE guidelines on transitioning from young people's to adult's services for young people using health or social care services (see NICE guidance link in appendix).

In addition to this, many young people with chronic health conditions will require ongoing care from their local GP surgeries.

Statutory timescales for EHC needs assessment and EHC plan development



What to do if a setting is concerned about the provision for a young person/young person with an EHC Plan

Concerns about a young person/young person

There should be triangulated evidence about the young person/young person from the educational setting, parent and any specialist involved

Assess, Plan, Do, Review to be put in place

Has the educational setting completed relevant assessments?
Has the educational setting sought advice from relevant professionals?
Has the educational setting acted upon the advice from the professionals?
Has the setting shown that relevant, purposeful and meaningful action has been put in place?

If all avenues have been explored

1. Discuss with parent/young person the need for a statutory review.
2. Contact DCC link Educational Psychologist to become involved/to complete an update.
3. Contact the SEN Casework team to alert and discuss.
4. Set date for six weeks' time.
5. Setting to prepare reports and send to parent/carer in a timely manner before the meeting.

If all avenues have not been explored

1. Seek further advice/support from relevant professionals and/or the Local Offer.
2. Setting to put a robust action plan in place in discussion with parents and young person.
3. Actions to be reviewed in a timely manner.

Hold person centred statutory review meeting

Follow guidance to complete a Statutory Annual review (see section 5)

The review meeting should consider:

- Needs, outcomes, provision, updated and current costed provision map & support
- What it will take to maintain the current placement. E.g. identify additional resources required
 - Parents/young person's views regarding current provision.

(N.B. Discussions about placement are not the remit of professionals).

Submit paperwork to SEND Casework team within 2 weeks of review meeting

PLEASE NOTE: Requests for significant changes to provision must be made in a timely fashion, to facilitate appropriate transition.

LA will aim to make a recommendation within 4 weeks of receipt of paperwork

Options:

1. Maintain an amended EHC plan/statement of educational needs.
2. Cease to maintain EHC plan/statement of educational needs.
3. Carry out full re-assessment.

Requests for an emergency placement in Post 16 settings

There are occasions when young people and young people present with such significant needs that additional support or a change of placement is required as a matter of urgency. The SEND Code of Practice 0-25 years clearly states that these circumstances should be exceptional. It states:

Young people and young people without an EHC plan can be placed in special settings and special post-16 institutions only in the following exceptional circumstances, where they are:

- admitted to a special setting or special post-16 institution to be assessed for an EHC plan with their agreement (in the case of a young person) or the agreement of their parent (in the case of a young person), the Local Authority, the head teacher or principal of the special setting or special post-16 institution and anyone providing advice for the assessment
- admitted to a special setting or special post-16 institution following a change in their circumstances with their agreement (in the case of a young person) or the agreement of their parent (in the case of a young person), the Local Authority and the head teacher or principal of the special setting or special post-16 institution. Where an emergency placement of this kind is made the Local Authority should immediately initiate an EHC needs assessment or re-assessment
- in hospital and admitted to a special setting which is established in a hospital, or
- admitted to a special academy (including a special free setting) whose academy arrangements allow it to admit young people or young people with SEN who do not have an EHC plan.

Further details about the issues to consider when making a request and the referral process can be found on the [‘SEND toolkit and documents’](#) webpage. A copy of the request form can be found in section 5.

Before applying for an Emergency Assessment, consider the information on the previous page ‘What to do if you are concerned about the provision for a young person/young person with an EHC plan or Statement of SEN’.

Glossary of useful post 16 terminology

Access Arrangements	<p>Access Arrangements are pre-examination adjustments for candidates based on evidence of need and normal way of working. Access Arrangements fall into two distinct categories: some arrangements are delegated to centres, others require prior JCQCIC awarding body approval.</p> <p>Access Arrangements allow candidates/learners with special educational needs, disabilities or temporary injuries to access the assessment without changing the demands of the assessment. For example, readers, scribes and Braille question papers. In this way Awarding Bodies will comply with the duty of the Equality Act 2010 to make 'reasonable adjustments'.</p> <p>For further information on Functional Skills, GCE, GCSE, Level 2 & 3 qualifications - http://www.jcq.org.uk/exams-office/access-arrangements-and-special-consideration/regulations-and-guidance</p>
Advices	A set of reports written by professionals and parents, which assist the Local Authority when making a decision whether or not to issue a proposed statement.
Annual Review	Under the Young people and Families Act 2014 local authorities must carry out a review of every EHC plan at least once every 12 months.
Appeal	Parents or a young person over 16 can appeal to the independent S.E.N.D.I.S.T Tribunal if they cannot reach agreement with the L.A. over decisions on their young person's special educational needs.
A.S.C/D.	Autistic Spectrum Condition/Disorder.
B.S.P.	Behaviour support plan.
C.A.M.H.S	The Young person and Adolescent Mental Health Service provide support to those young people who are experiencing mental health difficulties.
Centile	The division of information into 100 groups. For example, a score at the 5 th centile means that, on average, only 5 young people out of every 100 could be expected to score lower (and 95 would score higher).
Young person in Need	Defined under Section 10 of the Young people Act 1989 as a young person who is "unlikely to achieve or maintain ... a reasonable standard of health and development, without the provision of

	<p>services by a Local Authority... “Or who is “disabled”.</p> <p>Every authority has a general duty to safeguard and promote the welfare of young people in their area who are in need.</p>
Young people and Families Act 2014	<p>This law came into force on 1st September 2014. Part 3 of the Act sets out the new law on special educational needs and disability. The Act is supported by the SEND Regulations 2014 and the SEND Code of Practice 0-25 years. You can download a copy of the Act at http://www.legislation.gov.uk/ukpga/2014/6/contents/enacted</p>
Young people’s Network	<p>A confidential database of disabled young people in Durham to provide an information service for parents and to help planning of services.</p>
Clinical Commissioning Group (CCG)	<p>CCGs are groups of professionals that work together to commission health services, ensuring there is sufficient capacity contracted to deliver the necessary services to people.</p>
Clinical Psychologist	<p>Health specialist trained in the treatment of emotional and behavioural problems.</p>
Cognitive Development	<p>Development of a young person’s ability to understand and to explain relationships; usually the same as intellectual growth.</p>
Conciliation	<p>Conciliation involves a third party to help people negotiate with each other. The conciliator offers advice and possible solutions to problems.</p>
CSE	<p>Child (young person under 18) Sexual Exploitation</p>
CVI	<p>Cerebral Visual Impairment</p>
Developmental delay	<p>A delay in reaching the normal stages of development.</p>
Differentiation	<p>The way in which the setting’s curriculum and teaching methods are adapted to meet the needs of young people.</p>
Direct payment	<p>A payment made directly to a parent or young person to purchase specific services. Under the Young people and Families Act 2014 a Direct Payment may be made as part of a Personal Budget so that the parent or young person can buy certain services that are specified in their EHC plan.</p> <p>Direct payments can only be used for provision provided on the setting or college premises if the setting or college agree.</p>

<p>Disagreement resolution</p>	<p>Local authorities must provide independent disagreement resolution to help parents and young people resolve disputes with local authorities, settings and other settings about SEND duties and provision.</p> <p>You can find more information on disagreement resolution in the SEND Code of Practice: 0 to 25 years 11.6 to 11.10.</p>
<p>Designated Medical Officer (D.M.O) Designated Clinical Officer (D.C.O.)</p>	<p>The Designated Medical Officer and Designated Clinical Officer both play a key part in implementing the SEND reforms and in supporting joined up working between health services and local authorities.</p>
<p>Education Funding Agency (EFA)</p>	<p>The EFA is the government agency that funds education for learners between the ages of 3 and 19, and those with learning difficulties and disabilities between the ages of 3 and 25.</p> <p>The EFA allocates funds to local authorities, which then provide the funding for maintained settings. The EFA directly funds academies and free settings.</p>
<p>Education Health and Care plan (EHC plan)</p>	<p>An EHC plan describes the special educational needs that a young person or young person has and the help that they will be given to meet them. It also includes the health and care provision that is needed. It is a legal document written by the Local Authority and is used for young people and young people who have high support needs.</p>
<p>Education Health Care (EHC) Needs Assessment</p>	<p>Local authorities must carry out an EHC needs assessment if a young person or young person <i>may</i> need an EHC plan. The assessment is a detailed look at the special educational needs that the young person or young person has and what help he or she may need in order to learn.</p> <p>It is sometimes called a statutory assessment.</p> <p>You can find out more in the SEND Code of Practice: 0 to 25 years, sections 9.45 – 9.52.</p>
<p>Educational Psychologist (E.P.)</p>	<p>An Educational Psychologist (sometimes known as ‘Ed Psych’) is asked to help when a young person is finding it difficult to learn at setting. S/he may do tests to decide what the problem is.</p>
<p>E.H.E.</p>	<p>Elective Home Education</p>
<p>E.P.S.</p>	<p>Educational Psychology Service.</p>
<p>Expressive language</p>	<p>How a young person or young person expresses ideas thoughts and feelings through speech.</p>

Fine Motor Skills	Complex movements of hands and fingers which require practice to accomplish (e.g. fastening buttons, holding pencils etc.).
First Tier Tribunal (SEN and disability)	<p>The First-tier Tribunal (Special Educational Needs and Disability) is a legalbody. The Tribunal hears appeals from parents of young people with SEN, and young people with SEN, about EHC needs assessments and EHC plans.</p> <p>You can find out more at https://www.gov.uk/courts-tribunals/first-tier-tribunal-special-educational-needs-and-disability</p>
Global Delay	A general delay in acquiring normal developmental milestones.
Graduated approach	<p>The SEND Code of Practice: 0 to 25 years says that settings should follow a graduated approach when providing SEN Support. This is based on a cycle of:</p> <ul style="list-style-type: none"> • Assess • Plan • Do • Review <p>You can find out more about the graduated approach in the SEND Code of Practice: 0 to 25 years sections 6.44 to 6.56, or in this toolkit.</p>
Gross Motor Skills	Skills which involve large muscle activity (e.g. rolling, walking, crawling, jumping, running).
HSB	Harmful Sexual Behaviour
H.I.	Hearing Impaired.
Hyperactivity	Difficulty in concentrating and keeping still for any length of time. Restless, fidgety behavior a young person could also have sleeping difficulties.
I.B.P.	Individual Behaviour Plan.
I.H.P.	Individual Healthcare Plan. This sets out what sort of health care and support a young person needs to participate in setting life. For e.g.: what medicines setting can administer, and what to do in a medical emergency. If a young person has a SEN Support plan or EHC plan then all plans should be amalgamated where possible.
Inclusion	A process by which settings, local authorities and others develop their cultures, policies and practices to include all students.

Independent supporter	A person recruited by a voluntary or community sector organisation to help families going through an EHC needs assessment and the process of developing an EHC plan. This person is independent of the Local Authority and will receive training, including legal training, to enable him or her to provide this support.
Information Technology (I.T.)	Refers to the whole area of computers both portable and desktop.
I.Q.	Intelligence Quotient - a measure of intellectual ability, where a score of 100 indicates average.
Keyworker	Someone who provides young people, young people and parents with a single point of contact to help make sure the support they receive is co-ordinated. A keyworker could be provided directly by a Local Authority or local health organisation, a setting or college, or from a voluntary or private sector body.
Learning difficulty	If a young person has a learning difficulty s/he finds it much harder to learn than most young people of the same age do.
Local Authority/ Authorities (LA)	Local authorities are administrative offices that provide services within their local areas. There are 152 across England which are education authorities. For more information about local government, see https://www.gov.uk/understand-how-your-council-works
Local Offer	The Local Offer, published by every Local Authority, tells you what support is available for young people and young people with special educational needs and/or disabilities, and their families. It includes information about education, health and care provision. It also gives information about training, employment and independent living for young people with special educational needs and/or disabilities.
Looked After Young person	A young person who is 'cared for' by the Local Authority, either in a long-term placement or for short periods.
Makaton	A signed communication system designed to support and promote communication and spoken language. Makaton signs are used with speech, in spoken word order to help children and adults to communicate.
Mediation	Mediation is a type of disagreement resolution. Every Local Authority must provide independent mediation to help parents and young people resolve disputes with local authorities about: <ul style="list-style-type: none"> • a decision not to carry out an EHC needs assessment • a decision not to draw up an EHC plan • the content of a final EHC plan or amended plan

	<ul style="list-style-type: none"> • a decision not to amend an EHC plan • a decision to cease to maintain an EHC plan. <p>Mediation must also be provided on the health and social care elements of an EHC plan.</p> <p>You can find more information on mediation in the SEND Code of Practice: 0 to 25 years 11.13 to 11.38.</p>
Mediation advice	<p>The purpose of mediation advice is to give information about what mediation involves. Parents or young people who wish to register an appeal with the First Tier Tribunal (SEN and Disability) must first seek mediation advice. The advice must be factual and unbiased. After mediation advice has been given the parent or young person can choose whether they wish to go to mediation.</p> <p>However it is <u>not</u> necessary to seek mediation advice if the appeal is only about the name of the setting, or college named on the plan, the type of provision specified in the plan or the fact that no setting or other institution is named.</p> <p>You can find more information on mediation advice in the SEND Code of Practice: 0 to 25 years 11.21 to 11.25.</p>
M.L.D.	Moderate Learning Difficulties
Multi-disciplinary	A team drawn from more than one profession e.g. health, education, social services.
Must	<p>The SEND Code of Practice: 0 to 25 years says in Section i of the Introduction:</p> <p><i>...where the text uses the word 'must' it refers to a statutory requirement under primary legislation, regulations or case law.</i></p> <p>This means that wherever the term 'must' is used all the organisations listed in Section iv of the Introduction to the Code have a legal duty to do what the Code says.</p>
My story	A document completed by the young person, young person or family to tell the story of needs, support and aspirations from their own perspective.
Non-maintained special setting	A non-profit making special setting, approved by the Secretary of State, usually run by a charity.
O.T.	Occupational Therapy/Therapist.
Outcome	<p>Section 9.66 of the SEND Code of Practice: 0 to 25 years says:</p> <p>An outcome can be defined as the benefit or difference made to an individual as a result of an intervention. It should be personal and not</p>

	expressed from a service perspective; it should be something that those involved have control and influence over, and while it does not always have to be formal or accredited, it should be specific, measurable, achievable, realistic and time bound (SMART). When an outcome is focused on education or training, it will describe what the expected benefit will be to the individual as a result of the educational or training intervention provided.
Pastoral support team	In secondary settings includes form tutors, heads of year and senior teachers. Often the first point of contact for parents.
PECS	The Picture Exchange Communication System, also known as PECS, is a form of alternative and augmentative communication in which a young person is taught to communicate with an adult by giving them a card with a picture on it. PECS is based on the idea that young people who can't talk or write can be taught to communicate using pictures
Personal budget	<p>A Personal Budget is money set aside to fund support as part of an Education, Health and Care plan (EHC plan) for a young person or young person with special educational needs. It can include funds from Education, Health and Social Care.</p> <p>Parents of young people with an EHC plan and young people with an EHC plan can choose whether or not they wish to have a Personal Budget.</p>
P.D.	Physical disability/difficulty.
P.M.L.D.	Profound and Multiple Learning Difficulties.
Portage	A home visiting service which offers support, help and advice to families with a young person under 5 who has special needs.
Psychometric tests	Used to assess the young person's ability and attainment levels.
QTVI	Qualified Teacher of the Visually Impaired
QHS	Qualified Habilitation Specialist
R.A.R.P.A.	<p>Recognising and Recording Progress and Achievement. This is staged process comprising of 5 elements:</p> <ul style="list-style-type: none"> • Aims appropriate to an individual learner or groups of learners

	<ul style="list-style-type: none"> • Initial assessment to establish the learner’s starting point • Identification of appropriately challenging learning objectives • Recognition and recording of progress and achievement during programme (formative assessment) • End of programme learner self-assessment; tutor summative assessment; review of overall progress and achievement.
Reasonable adjustments	Reasonable adjustments are changes settings and other settings are required to make which could include: changes to physical features – for example, creating a ramp so that students can enter a classroom or providing extra support and aids (such as specialist teachers or equipment). Equality Act 2010 has more information.
Receptive language	The ability to understand what is being said.
S.E.N.	Special Educational Needs. All young people who need special help will be described as ‘young people with special educational needs.’ One in five young people may have some sort of learning difficulty during their setting life.
S.E.N.D.I.S.T.	S.E.N. and Disability Tribunal.
SEMH	Social, Emotional and Mental Health Difficulties
SEN support	<p>SEN support includes any help for young people and young people with SEN that is additional to or different from the support generally made for other young people of the same age.</p> <p>The purpose of SEN support is to help young people achieve the outcomes or learning objectives that have been set for them by the setting. Settings should involve parents in this process.</p> <p>SEN support replaces Early Years Action/Action Plus and Setting Action/Action Plus.</p>
SEND Code of Practice: 0 to 25 years	<p>This is the statutory guidance that supports Part 3 of the Young people and Families Act 2014.</p> <p>It tells local authorities, early year’s settings, settings, colleges, health and social care providers and others what they must and should do to identify, assess and provide for young people and young people with SEN or disabilities.</p> <p>You can download a full copy of the Code at https://www.gov.uk/government/publications/send-code-of-practice-0-to-25</p>

	You can download a shorter version for parents at https://www.gov.uk/government/publications/send-guide-for-parents-and-carers
SENDIASS	Durham's SEND Information Advice and Support Service is a statutory service supporting parents/carers of young people with special educational needs and disabilities (SEND) and young people and young people with SEND.
Should	<p>Should is a word that occurs frequently in the SEND Code of Practice: 0 to 25 years.</p> <p>Section i of the Introduction to the Code says:</p> <p><i>... where the text uses the word 'should' it means that the guidance contained in this Code must be considered and that those who must have regard to it will be expected to explain any departure from it.</i></p> <p>This means that wherever the term 'should' is used all the organisations listed in Section iv of the Introduction to the Code must consider what the Code says. However they may depart from it.</p>
SLCN	Speech, Language and Communication Need
S.L.D.	Severe Learning Difficulties.
Special educational provision	The special help given to young people with SEN.
Specific Learning Difficulty (Sp.L.D)	A young person has a Specific Learning Difficulty if s/he has a specific problem in one or more areas of the curriculum: for e.g.: working memory, reading, writing, spelling.
Speech therapist	Specialist in diagnosing and treating speech and language disorders who works in settings, hospitals and clinics.
Speech therapy	The diagnosis and treatment of speech and language disorders. Young people are normally referred for speech therapy by a doctor.
Tribunal	An independent body that hears appeals against decisions made by the L.A.
V.I.	Visually Impaired.