



Special Educational Needs and/or Disability (SEND) in schools

A guide for parents & carers



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Introduction

This booklet will help you understand how children and young people with Special Educational Needs or Disabilities (SEND) should be supported in schools, and other educational settings, in County Durham. The information it contains is good practice for all schools and settings.

This booklet is aimed at parents/carers of children and young people with SEND. A parent/carer is a parent, or any other adult (such as a grandparent), who has parental responsibility for a child or young person. From this point on, parent/carer will be referred to as you. The council will be referred to as we.

At the back of this booklet, there is a list of other links and resources that you may find helpful. We have also included links in the main text. All of this information can be found on the Local Offer.

In County Durham we also have a SEND Toolkit, aimed at staff in schools and colleges, but it also has information for health and social care providers too. This, along with other SEND documents, can be found on the 'SEND Toolkit and documents' page of the Local Offer. The link is also at the end of this booklet.

The SEND Information Advice and Support Service (SENDIASS) can give you confidential, impartial support and advice in relation to special educational needs and disabilities, for young people up to the age of 25.

We have a parent/carer forum in County Durham, called Making Changes Together. They work with us and local health groups to develop and improve services. You can contact them through the SENDIASS team.



Early identification of needs

Every school should have a clear approach to identifying and responding to additional needs. Identifying needs at the earliest point and then making effective provision improves long-term outcomes for your child.

Schools should:

- Make sure that the identification of difficulties (which may lead to a Special Educational Need) is part of their overall approach to monitoring the progress and development of all pupils (including those with behaviour difficulties).
- Assess each pupil's current skills and attainment on entry.
- Make regular assessments of progress for all pupils. Where a pupil is falling behind or making inadequate progress given their age and starting point they should be given extra support.

Schools should ensure that information gathering includes an early discussion with you and your child. These discussions should be structured in such a way that they develop a good understanding of your child's areas of strength and difficulty, your concerns, the agreed outcomes sought for your child and be monitored on a regular basis in partnership with yourself (and the pupil where possible). A short note of this discussion should be made, kept on record and progress should be monitored by the school and you.

If after robust monitoring and further assessment, your child is still not making the expected progress across any of the areas of need (see page 4 for further details), there may be evidence to suggest that they have a Special Educational Need (and/or a Disability).

Definition of Special Educational Need (SEN)

The SEND Code of Practice: 0 to 25 years (2015) defines a child or young person as having SEN if they have a learning difficulty or disability which calls for special educational provision to be made for them. A child of compulsory school age or a young person has a learning difficulty or disability if they:

- have a significantly greater difficulty in learning [in any area of need] than the majority of others of the same age; or
- have a disability which prevents or hinders them from making use of educational facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions.

A child under compulsory school age has special educational needs if they fall within the definition above or would so do if special educational provision was not made for them.

Definition of disability

Many children and young people who have SEN may have a disability under the Equality Act 2010 - that is '...a physical or mental impairment which has a long-term and substantial adverse effect on their ability to carry out normal day-to-day activities'.

This definition provides a relatively low threshold and includes more children than many realise: 'long-term' is defined as 'a year or more' and 'substantial' is defined as 'more than minor or trivial'. This definition includes sensory impairments such as those affecting sight or hearing, and long-term health conditions such as asthma, diabetes, epilepsy, and cancer. Children and young people with such conditions do not necessarily have SEN, but there is a significant overlap between disabled children and young people and those with SEN. Where a disabled child or young person requires special educational provision they will also be covered by the SEN definition.

Legal responsibilities of settings

The Equality Act 2010 sets out the legal obligations that schools, early years providers, post-16 institutions, local authorities and others have towards disabled children and young people:

- They must not directly or indirectly discriminate against, harass or victimise disabled children and young people
- They must not discriminate for a reason arising in consequence of a child or young person's disability
- They must make reasonable adjustments, including the provision of aids and services, to ensure that disabled children and young people are not at a substantial disadvantage compared with their peers.

More information can be found in the [SEND Code of Practice page 16](#).

SEN provision in schools and colleges

Special educational provision is education or training that is 'additional to' or 'different from' the provision that is generally available for others of the same age [in one or more of the four broad areas of need]. This means provision that goes beyond the different approaches and learning arrangements normally provided as part of 'quality first' teaching, including differentiation of activities and tasks.

The four broad areas of special educational need are:

- Cognition & learning
- Communication & interaction
- Social, emotional and mental health
- Physical and/or sensory (hearing and/or visual impairment)

There is information available on the support that should be available in schools for each of these areas of need on the Local Offer – How your child with SEND is supported in school.

All education providers/settings (including academies and free schools) must make every effort to meet the needs of children and young people with SEN. The majority of children and young people with SEN will have their needs met in a mainstream

nursery, school or college. Schools must tell you and/or the young person about what arrangements are in place.

The SENCO (SEN Co-ordinator) has day to day responsibility for co-ordinating specific provision made to support individual pupils with SEN. They will support other colleagues in settings and will work closely with you and professionals from other agencies.

In County Durham, staff in settings should use the SEN Planning Tools – these can be found on the ‘SEND Toolkit and documents’ page of the Local Offer. These tools can help settings meet your child’s SEN. They outline:

- Assessment and planning.
- Teaching and learning strategies.
- Curriculum interventions and resources required, including staffing.

All mainstream schools are provided with funding to support children with additional needs, including pupils with SEND. Further information about school funding is available in Appendix 2.

SEN support and the graduated approach

In County Durham we expect every child who requires SEN support to have an individual SEN Support plan. This must work towards a clear set of expected outcomes and detail the ‘additional to’ or ‘different from’ provision they are receiving. From year 9 onwards, there should be a greater focus on ‘preparing for adulthood’ within the plan.

At this stage - with your agreement - a pupil would normally be recorded on the SEN register.

There is a County Durham template of the SEN support plan available to all schools, but they can use their own, as long as it outlines:

- Your child’s strengths
- Your child’s needs/difficulties
- The desired outcomes (matched to the needs)
- The provision that is being made

- The views of you and your child

All professionals, along with yourself, should be in agreement about the level of SEN support required to meet the needs of your child and a robust 'Assess, Plan, Do and Review' cycle should be put in place. This is also known as the graduated approach - see below for more details.

The graduated approach means that nurseries, schools and colleges should:

- Assess your child's Special Educational Needs
- Plan provision to meet the aspirations and agreed outcomes for your child
- Do- put the provision in place
- Review the support and progress, including more specialist expertise in successive cycles in order to match support to the needs of your child

Your child's SEN support should be reviewed at least three times a year with you and your child (where possible), with input from the specialists who are actively supporting your child at that time. Where possible, these reviews should be a face to face meeting but this is not always appropriate, so sometimes this could be completed through telephone calls/emails. You should always sign the new SEN support plan to show your agreement.

If you disagree with the support your child is receiving, the first people to talk to are your child's teacher or the SENCO at the school or setting. If you are still not satisfied, you can request a meeting with your setting's manager, head teacher or principal. All schools also have a SEN Governor who can look into your concerns. If you would like further impartial advice and support, then contact the Durham SEND Information Advice and Support Service (SENDIASS).

In the process of reviewing SEN support, it may become apparent that your child needs additional support/provision. In exceptional cases, the school and you may decide to request:

- 'top up' funding at the SEN Support stage
- a place in an enhanced mainstream provision, if relevant to your child's needs
- an Education, Health & Care (EHC) assessment.



Top up funding with a SEN support plan

In exceptional cases, some pupils at the SEN Support stage need more than £6000 of SEN provision. In County Durham, we have the flexibility to meet these needs without schools having to apply for an EHC assessment. More information can be found in Appendix 1.

A panel will consider individual requests and schools must demonstrate how they have used £6000 from their school budget to provide relevant and purposeful support. This would be 'additional to' and 'different from' quality first teaching requirements, in order to meet your child's SEN.

Enhanced mainstream provision in County Durham

Some mainstream schools also have additionally resourced provision for pupils with particular difficulties; this is called Enhanced Mainstream Provision (EMP). An EHC needs assessment or plan is not required to access this provision but we would need evidence that the child's needs are significant and that robust SEN support plans are already in place before we could offer an EMP place. A list of EMP schools can be found on the Local Offer.

Education, Health and Care (EHC) needs assessment request

In exceptional cases; despite the school having taken relevant and purposeful action through the graduated approach, a pupil may not have made the expected progress in one or more of the four broad areas of SEN. The school, or you, may consider requesting an EHC needs assessment. N.B This should be in exceptional circumstances and should never be the first response to meeting a pupil's SEN.

Who can request an assessment?

In most cases, the SENCO from your child's childcare setting, school or college will request an EHC needs assessment with prior agreement from you, or from the young person if over 16 years of age. A request can be made at any time from birth to the age of 25 if the young person is still in education or training.

You, or a young person over the age of 16, can make a request for an assessment yourself by contacting the Special Educational Needs and Disabilities (SEND) Casework Team at: sencasework@durham.gov.uk, 03000 265 878. You should seek further advice and support from SENDIASS to do this.

When do we decide to conduct an EHC assessment?

We will initiate an EHC assessment when we consider that it may be necessary for specialised education to be made for a pupil through an EHC plan. This is likely to be when the special educational provision that is required, cannot be reasonably provided within the resources normally available to mainstream early years providers, schools and post 16 institutions.

The EHC needs assessment brings together all existing relevant information about your child from education, health and social care. If further assessments are required, a SEN Caseworker (from the council) is assigned to the family and will arrange for this to happen, and work with you closely throughout the whole process.

How long is the EHC assessment process?

The assessment should take a maximum of 20 weeks. The diagram in Appendix 2 explains the process in more depth.

Please note, that even when an assessment is carried out, it does not always result in the formation of an EHC Plan.

Education, Health & Care (EHC) plan

If the result of the assessment is the formation of an EHC plan, this is a legal document. It sets out:

- Your child's needs
- What professionals should do to meet your child's needs
- A suitable educational placement
- Your child's strengths and hopes (aspirations)
- The funding needed to support your child.

EHC plans can continue for some young people up to the age of 25, if they are still in education or training.

If your child receives an EHC plan, you will be sent a list of suitable schools for pupils with special educational needs. This will include details of mainstream, enhanced mainstreams and special schools in the area. This information can be found on the Local Offer. You will also receive a list of all 'non-maintained' special schools and independent special schools.

An EHC plan can have a personal budget attached to it. This is an amount of money that can be used to arrange and pay for support that has been agreed in the plan. More information about personal budgets can be found on the Local Offer.

Can you ask for a place at a particular school?

You have a right to say which setting you would like your child to attend. This can be the setting they already go to. We must agree with parental preference as long as:

- the school that is chosen is suitable for the child's age, ability, skills and SEN
- the child's presence will not have an effect on the education of other children already at the school, and placing the child in the school will be an efficient use of the council's resources.

Please note, all of the mainstream schools in County Durham are able to support children with special educational needs. When making your decision you should look at the school's SEN Information Report and SEN policy on their website, and speak to the SENCO/Head teacher to find out what they can provide.

Choosing which school you would like your child to go to is an important decision. If you need any help, information or advice about which schools will be able to meet your child's needs, you can contact the SEND Casework Team or the County Durham Special Educational Needs Information Advice and Support Service (SENDIASS).

When a draft EHC plan is issued, you have 15 days to tell the SEN Casework Team which school you would like your child to attend. If you need more time than this, or you would like to discuss it further, you should contact the team as soon as possible.

We have to consult a school before naming it in a child's EHC plan, but we will make the final decision. You will be fully informed about this and we will explain the decision to you.

You will receive a final copy of your child's EHC plan, containing the name of the school, within 20 weeks of us receiving the assessment request.

Pupils moving into County Durham

If your child is moving into County Durham and has an Education, Health and Care (EHC) plan, or is undergoing an EHC needs assessment, you should contact the SEND Casework Team for advice. They can be contacted on sencasework@durham.gov.uk, 03000 265 878.

Reviewing an EHC plan

EHC plans should be used to actively monitor pupil's progress towards their outcomes and longer term aspirations. There must be an annual formal statutory review meeting which is led by the school or educational setting, which you and your child should be involved in.

In addition to the statutory annual review, schools and educational providers should also ensure the EHC plan, its outcomes and provisions, are reviewed with you, or the young person if aged over 16, at points throughout the year. The 12 month outcomes in the EHC plan should be broken down into shorter-term targets. When reviewing these, schools should:

- consider progress towards the outcomes on the plan;
- set new interim targets where appropriate;

All interim reviews must focus on the pupil's progress towards achieving the outcomes specified in the EHC plan, and the information from these reviews contribute to the final statutory annual review meeting.

Involving parents, carers and young people

The Code of Practice (2015) significantly changed the way in which education, social care and health worked with children and young people with SEND (aged 0-25) and their families/carers. The Code of Practice states, 'effective participation should lead to a better fit between family's needs and the services provided, higher satisfaction with services, reduced costs (as long term benefits emerge) and better value for money.'

Involving parents, carers and children or young people in the setting and review of outcomes and provision for any child with SEN from the beginning leads to better progress and improved results overall.

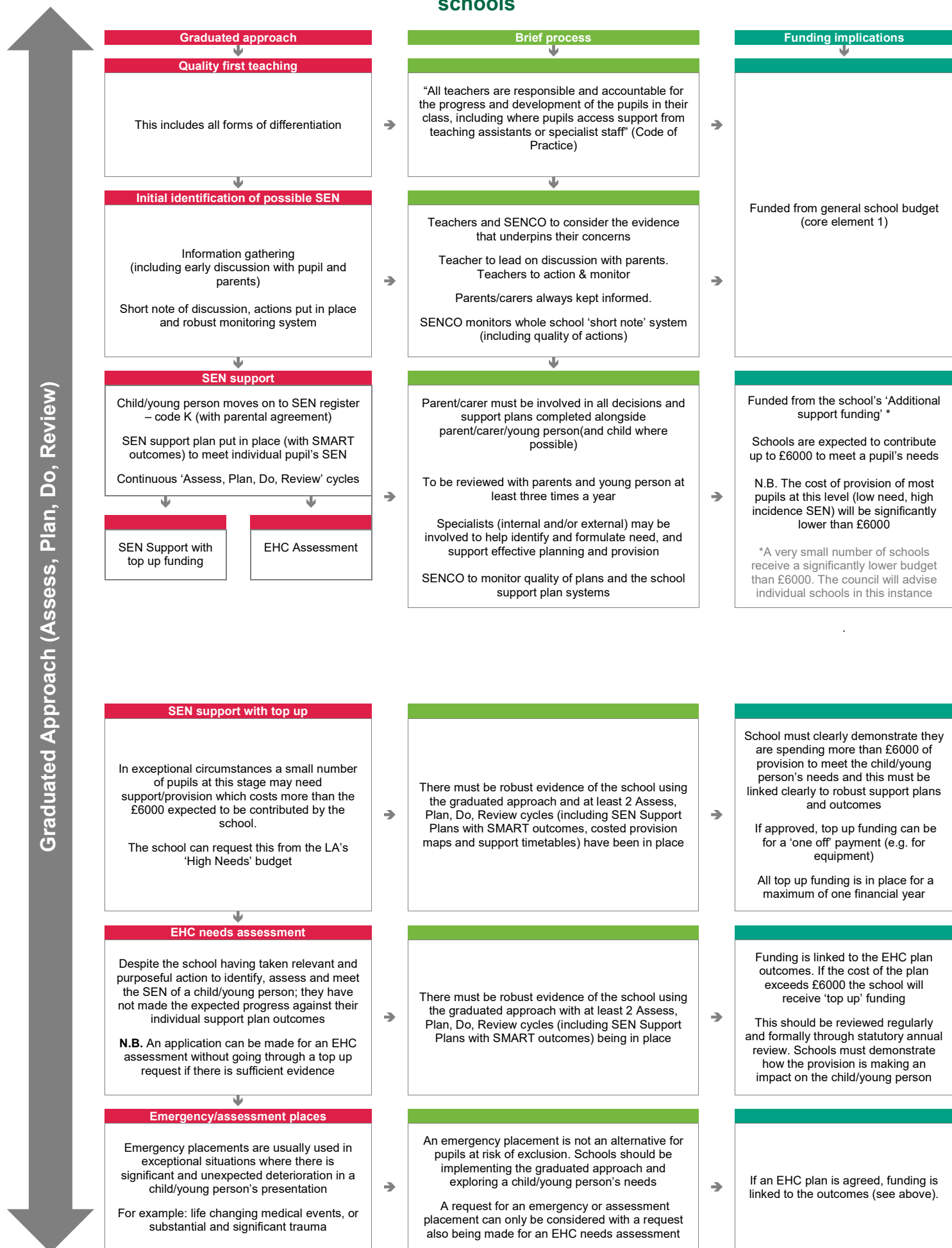


Appendix 1

Graduated approach diagram



At a glance guide to the 'graduated approach' and associated funding in mainstream schools



Appendix 2

School funding for children and young people with SEND



School funding for children and young people with SEND

Funding is given to all schools (including academies) under three main headings:

Element 1: Core Education Funding

Schools are paid a certain amount of money per pupil to meet their educational needs. The amount per pupil increases from primary school, through key stage 3 to key stage 4. This is used to make general provision for all pupils in the school, including pupils with SEND.

Element 2: Additional Support Funding

This is sometimes known as the 'notional SEN budget', which is allocated depending upon:

- levels of deprivation
- levels of free school meals
- levels of attainment

Schools are expected to contribute up to £6000 to support each child or young person with SEND from this funding, however only a few pupils with the most complex needs will require this high level of support and funding.

Element 3: Top Up Funding from the High Needs Block

The council retain this funding and it is given to schools to support additional costs of children with SEND.

There are more details of other funding for schools below.

Targeted 'Top Up' Funding

In some exceptional cases, provision to meet an individual pupil's needs may exceed £6000. Schools may request additional 'top up' funding (from Element 3) to support a child with a SEN Support or Education, Health & Care Plan. Schools must demonstrate how they have used their £6,000 to provide relevant and appropriate support to meet the pupil's needs. See page 7 for more details.

Enhanced Mainstream Provision (EMP) Funding

Each EMP is funded on a planned place basis. The amount per planned place is £10,000.

EMPs can also request 'top up' funding, identified through an Education, Health and Care Plan or SEN Support plan.

A council panel will consider individual requests from schools - they must demonstrate how they have used their £10,000 to provide relevant and appropriate support to meet the pupil's special educational need.

Special School Funding

Special school funding is linked to bands of special educational need and will change every year. A planned place in special school will cost at least £10,000.

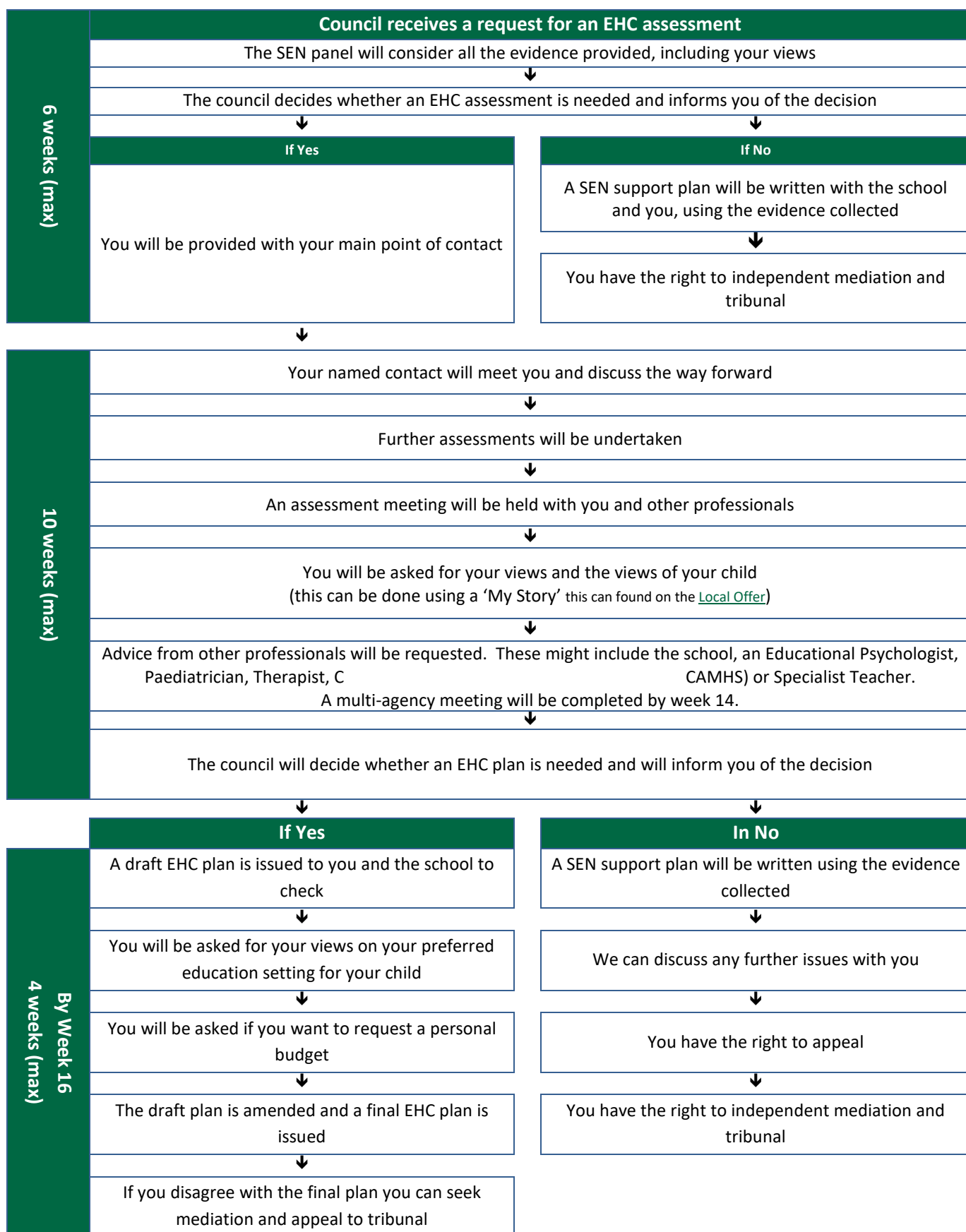
Special schools can also apply for 'Top Up' funding if required, but they must meet specified criteria.

Appendix 3

Education, Health and Care Assessment - the process



Education, Health and Care assessment – *the process*



The maximum time for the whole process to be completed is 20 weeks

The outcomes and provision in an EHC plan should be regularly monitored throughout the year and must be formally reviewed annually, taking your views into account.

Appendix 4

Useful links and resources



Here you will find more useful information to help support your child with SEND. You can also find this information on the Local Offer – www.countydurhamfamilies.info/LocalOffer

[Activities for children and young people with SEND](#)

[Adaptations and equipment](#)

[Choosing a school or post 16 provider for children and young people with SEND](#)

[Parent/carers guides – areas of special educational need](#)

[Independent mediation, disagreement resolution and tribunals](#)

[Enhanced mainstream and special school provision for children with Special Educational Needs](#)

[SEND: Department for Education \(DfE\) guides](#)

[Education for children out of school or in hospital due to medical or mental health needs](#)

[Preparing for adulthood](#)

[What can I do if I think my child has SEND?](#)

Support organisations for parents and carers

Contact (formerly Contact a Family)

Provide information, advice and support to families caring for children and young people with disabilities or additional needs.

Helpline: 0808 808 3555

Email: northeast.office@contact.org.uk

Website: www.contact.org.uk

County Durham Families Information Service

Information about services that can advise and support parents, Ofsted registered childcare providers and what's on offer in the local area for all children and young people, including those with SEND.

Helpline: 03000 269 995

Email: fis@durham.gov.uk

Website: www.countydurhamfamilies.info

County Durham's Children and Young People's Network

A virtual network where information can be shared about services and activities.

Helpline: 03000 265 792

Email: childrensnetwork@durham.gov.uk

Website: www.durham.gov.uk/cypn

Durham County Carers Support

Providing advice, information and support to carers. Support group for parents of children with long term conditions, physical or mental health or learning disabilities. <https://www.dccarers.org/>

Erase Exploitation

Information about sexual exploitation to support young people who live in County Durham and Darlington.

Helpline (immediate danger): 999

Website: www.eraseabuse.org

Making Changes Together (MCT)

Parent/carer forum - working together to develop and improve services for our children.

Helpline: 0191 587 3541

Email: info@mctdurham.co.uk

Website: <http://www.mctdurham.co.uk/>

MindEd

Is a new website hoping to transform mental health support for relatives in difficulty and crisis.

Website: <https://mindedforfamilies.org.uk/>

SEND Information Advice and Support Service (SENDIASS)

Providing confidential, impartial support and advice for parents, carers, children and young people up to the age of 25 years in relation to SEND.

Helpline: 0191 587 3541

Email: sendiass@durham.gov.uk

Website: www.durhamsendiass.info

Special Educational Needs and Disability Code of Practice

Statutory guidance for organisations which work with and support children and young people who have SEND.

www.gov.uk/government/publications/send-code-of-practice-0-to-25

Talking Point

Talking Point give parents and carers the information they need about communication and how to help their children develop these skills.

Helpline: 020 7843 2510

Email: talkingpoint@ican.org.uk

The Charlie Waller Memorial Trust

Information for young people to help them look after their mental well being, helping them recognise signs of depression in themselves and others so they know when and how to seek help.

Helpline: 01635 869 754

Contact webpage: www.cwmt.org.uk/contact-us

Website: www.cwmt.org.uk

The National Autistic Society

We provide information, support and pioneering services. We also campaign for a better world for autistic people.

Helpline: 0207 833 2299

Email: mailto:nas@nas.org.uk

Website: <http://www.autism.org.uk>

Young Minds

Young Minds is the UK's leading charity committed to improving the emotional wellbeing and mental health of children and young people.

Helpline: [0808 802 5544](tel:08088025544)

Contact webpage: youngminds.org.uk/contact-us/

Website: <https://youngminds.org.uk/>