

## Questions and Answers (Q&A) at special educational needs and disability (send) information, advice and support service conference in October 2014

- 1. With schools having not enough funding, and LA cuts, how are the needs of children and young people with SEN going to be met within the educational environment? While the Act is good in principle without the financial backing won't this turn out to be yet another white elephant?**

Schools have a duty to meet the needs of children and young people with SEN. It is their statutory duty. Please see the Code of Practice for more details on this.

<https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

- 2. What can personal budgets cover i.e. if a trike is recommended for a child with physical disability, can that be paid for out of a personal budget? Can it be used for health and social care?**

A Personal Budget can be used only to fund provision set out in an EHC plan. This can include funding for the special educational, health and social care support that will help to achieve the outcomes set out in the Plan.

You can find out what can be included in a Personal Budget in the Local Offer.

[http://www.barnet.gov.uk/info/941009/local\\_offer\\_information\\_support\\_and\\_advice/1216/local\\_offer\\_-\\_information\\_support\\_and\\_advice](http://www.barnet.gov.uk/info/941009/local_offer_information_support_and_advice/1216/local_offer_-_information_support_and_advice)

A Personal Budget cannot be used to pay for a place at a school or college. A Personal Budget can include any top up funding (known as Element 3 funding) that is for provision specified in an EHC plan. It can also include support that is managed by the school or college – but only if the Headteacher or Principal agree. Local Authorities may decide not to make some provision available through personal budgets. Please see Barnet's policy.

You can find out more about what can be included in a Personal Budget in Sections 9.110 to 9.118 of the SEND Code of Practice. <https://www.gov.uk/government/publications/send-code-of-practice-0-to-25>

- 3. Can we ask what the money for statement in the school is spent on?**

The SEND Code of Practice says schools must:

...use their best endeavours to make sure that a child with SEN gets the support they need – this means doing everything they can to meet children and young people’s SEN (6.2)

Schools should use some of their budget to buy resources and make provision for children who need additional help. This can take many forms. For example, children with SEN might need:

- some changes to the curriculum
- special equipment or teaching materials
- the use of additional information technology
- small group work
- support in the classroom
- a base to work in or have quiet time.

If your child has an Education, Health and Care plan (or Statement of Special Educational Need) it should set out the support and resources that are provided. It is different for every child or school but the school need to be meeting your child’s needs.

**4. Can you give more information on the school forum (statutory body of school head and governors)?**

For more information please visit

[http://www.barnet.gov.uk/WorkingWithChildrenInBarnet/info/30020/schools\\_forum](http://www.barnet.gov.uk/WorkingWithChildrenInBarnet/info/30020/schools_forum)

**5. Can you provide examples for changes from statement to EHCP e.g. statement gives 35 hours SEN Teaching Assistant support plus language and speech therapy 6 hours a term. What will that be on EHCP where there is no medical change in the child?**

0 – 25 year old guidance for transfer is

Children and young people who have a Statement will gradually transfer to the new system. Local authorities must complete this process by 1 April 2018.

The SEND Code of Practice says:

...it is expected that all those who have a statement and who would have continued to have one under the current system, will be transferred to an EHC plan – no-one should lose their statement and not have it replaced with an EHC plan simply because the system is changing.

Every local authority should publish a local transition plan, showing when and how statements will be transferred to the new SEND system. It also includes information for young people in further education and training who receive support through a Learning Difficulty Assessment. Young people who already have an LDA will transfer to an EHC plan by 1 September 2016, if they need one.

If you would like to view some example EHCP’s, please check out

<http://www.sendpathfinder.co.uk/infopacks/ap/>

**6. Will the Local Offer state what provision schools should normally have for children?**

Yes. Barnet's Local Offer tells you what is ordinarily available and is in progress. Every school must publish a SEN Information Report.

**7. Health care provision in EHC Plan – is this where mental health provision goes? CAMHS and Adult Mental health?**

An Education, Health and Care plan (EHC plan) describes your child's special educational needs (SEN) and the help they will get to meet them. An EHC plan also includes any health and care provision that is needed. It is a legal document written by the local authority and is used for children and young people with high support needs. Any health and social care needs that directly impact on the educational outcomes of the child will be included in the EHC Plan. Reports from CAMHS or any other organisation will be looked at and taken into account when the Local Authority writes the EHC plan.

**8. How is 'capacity' determined (of a young person to make decisions)?**

Please look at The Mental Capacity Act

<http://www.nhs.uk/CarersDirect/moneyandlegal/legal/Pages/MentalCapacityAct.aspx>

**90. When are Capita going to get the website working properly?**

We are currently working with Capita to refresh our content.