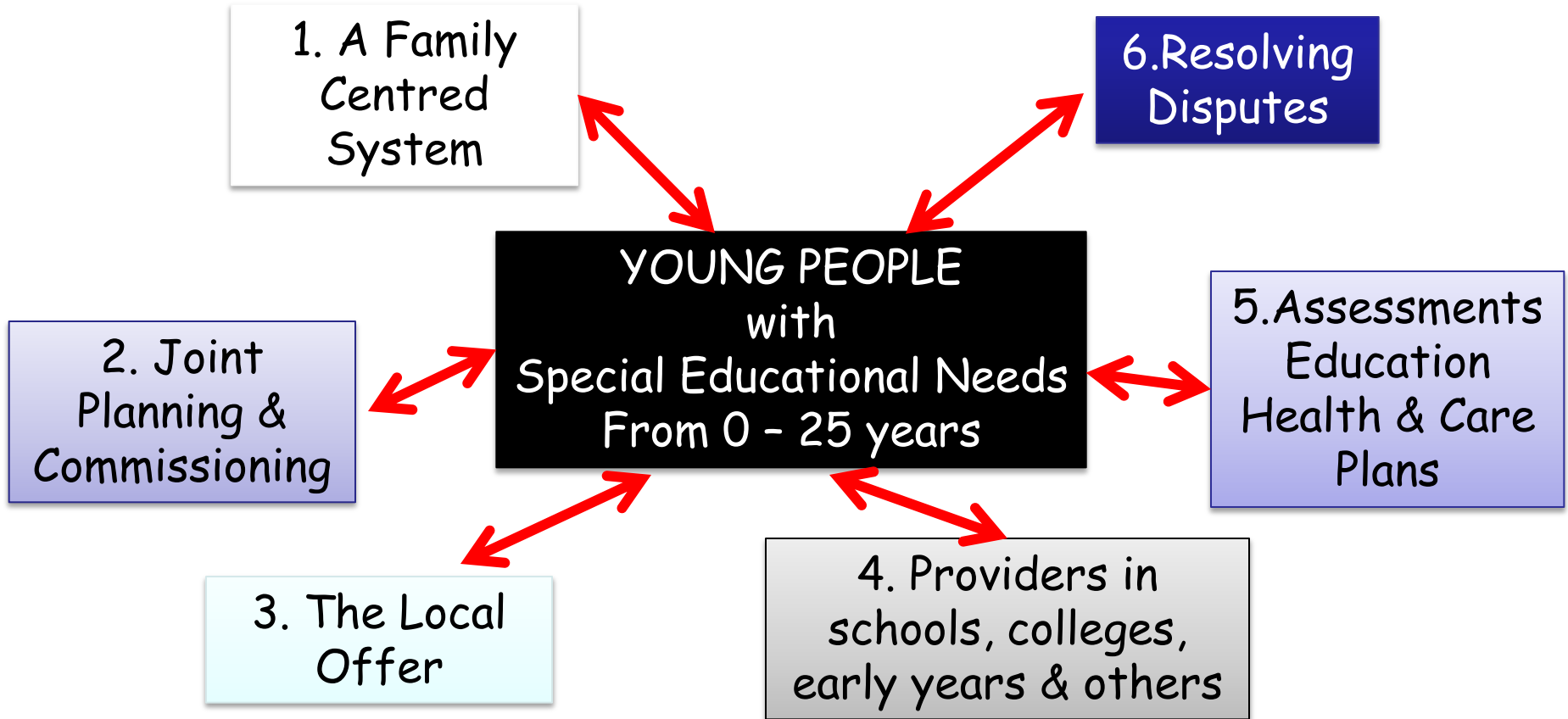


The Children and Families Bill



Presentation for Health and Wellbeing Board

Key Strands



A new system for SEN

- Children & young people to be **at the heart** of the system
- **Close co-operation** between all of the services that support children & families
- **Early identification** of children and young people with SEN
- A clear & easy to understand **local offer** of education, health & social care services
- For the most complex needs, a co-ordinated assessment and **0-25** EHC plan
- A clear **focus on outcomes** for EHC plans anticipating the support they need for a clear pathway through education to adulthood, paid employment and independent living
- **Increased choice**, opportunity & control for parents and young people and the offer of a personal budget for those with an EHC plan



INVESTOR IN PEOPLE



2008-2009
Tackling Climate Change



Definitions

- Statutory process including Education/Health/Care assessments but child must be shown to have SPECIAL EDUCATIONAL NEEDS

Definition of SEN exactly as in the current Code of Practice.

- Disability – if they have a physical or mental impairment which has a substantial and long term adverse effect on their ability to carry out normal day to day activities.
- A child may have SEN and not be disabled
- Children with LDD (Learning Difficulties or Disabilities) may or may not have SEN.
- A child with significant care needs (requiring high levels of intervention) may or may not have SEN.

Whether or not a child has SEN may change over time.



INVESTOR IN PEOPLE



2008-2009
Tackling Climate Change



THE LOCAL OFFER

- Local authorities must **publish, in one place**, information about provision they expect to be available in their area for children and young people from 0-25 who have SEN
- Should have 2 key purposes
 - To provide clear, comprehensive information about support and opportunities available
 - To make provision more responsive to local needs and aspirations by directly involving children & YP with SEN and parents & carers in its development
- The local offer should be:-
 - Engaging
 - Accessible
 - Transparent & comprehensive

Barking and Dagenham is about to publish our Local Offer and will run a public consultation until the end of January



INVESTOR IN PEOPLE



2008-2009
Tackling Climate Change



Education, Health & Care Plans

Statutory assessments of education, health and care needs will take place for those few children and young people with complex SEN

Most (but not all) will then have an Education, Health & Care Plan (EHC) - expected to be completed as early as possible, to have the greatest impact for child.

Timescales

- Whole process maximum of 20 working weeks (currently 26)
- LA must respond to any request within 6 weeks
- When LA requests advice, advice givers must respond within 6 weeks
- Families have to be involved throughout the process and are given 15 days to consider & give their views on the final draft of the EHC Plan



INVESTOR IN PEOPLE



2008-2009
Tackling Climate Change



Education, Health & Care Plans

Requesting an Assessment

- Parent (up to age 18) or young person
- School or post-16 providers
- Other professionals e.g. health & care professionals, YOT & education in custody providers

Considering whether an assessment is necessary

LAs should take account of the following:-

- Views of child, YP and parents
- Evidence of academic attainment & progress
- Education providers evidence of the nature of the child's SEN
- Evidence of action taken by the education provider
- Evidence that progress is due to Additional SEN support in place
- Evidence of the child's physical, emotional social development and health needs
- With 18 + whether staying in education would help them make a successful transition into adult life



INVESTOR IN PEOPLE



2008-2009
Tackling Climate Change



Education Health & Care Plan - Assessments

Advice for EHC assessments LAs must seek advice from :-

- The education provider
- Where the child has sensory difficulties a specialist teacher
- Medical advice from a person(s) nominated by the Clinical Commissioning Group
- Psychological advice from an Educational Psychologist
- Social care Professionals within the LA
- Any other provider e.g. YOT, probation, services children providers etc
- Anyone else family or YP thinks relevant e.g. family support worker

Young people aged 19-25

- Any YP 19-25 may request an assessment
- Some may not need this as it is not in their interest to continue their education
- Others with complex needs which are primarily health or social care may not need an EHC assessment and are best provided by continuing Adult health or Social care provision



INVESTOR IN PEOPLE



2008-2009
Tackling Climate Change



Education, Health & Care Plans

Preparing an Education Health Care Plan

Principles to apply

- decisions should be transparent & involve child, YP & family
- plans should be clear, concise, readable & accessible to parents, children YP & providers/practitioners
- plans should be **person-centred, evidence-based & focussed on outcomes**
- outcomes should be short-term & aspirational for the YP
- the delivery of a service is not an outcome (it is what the service is doing)
- outcomes need to be specific, measurable, achievable & time bound
- plans should be **specific about the interventions** that will make a difference
- plans must **relate to the teaching and learning** context in which the child may be educated
- **resources** should be **quantified** (level of support and who provides it)



INVESTOR IN PEOPLE



2008-2009
Tackling Climate Change



Education Health & Care Plans

Choice of school, college other provider

- Parents can choose any educational provider
 - Maintained school (mainstream or special), Academy or Free School
 - Special Academy or Special Free School
 - Non-maintained Special School
 - FE or Sixth Form College
 - Independent School or Independent Specialist College (approved by Sec of State)
- **Local Authority must comply with parental choice** unless
 - It's considered unsuitable for the age, ability, aptitude or SEN of the young person or
 - The attendance there would be incompatible with the efficient education of others ; or the efficient use of resources



INVESTOR IN PEOPLE



2008-2009
Tackling Climate Change



Disagreement Resolution

- Local authorities must arrange for disagreement resolution services (otherwise known as mediation services) to be available to parents and young people. The service must be independent of the local authority
- Use of the disagreement resolution services has to be with the agreement of both parties. Use can be made of the services at any time
- Where parents choose not to use a disagreement resolution service, this has no effect on parents' and young people's rights
- There are two types of mediation – informal mediation where LA officers from SENART meets parents to address parental concerns and formal mediation where an Independent trained mediator assists the LA and parents in resolving issues
- In the future disagreement resolution may be a requirement in particular circumstances – further information is awaited



INVESTOR IN PEOPLE



2008-2009
Tackling Climate Change



Transitions – addressed here and in Care Bill

Continuity – provision 0-25

No-one reaching the age of 18 and who is already receiving support of some kind under the legislation that relates to children, will suddenly find themselves without the care and support they need at the point of becoming an adult. Post 18 Care Bill proposals apply.

Cooperation

A successful transition to adult care and support services needs the young person, their families and professionals to work together. This is crucial. The Bill gives local authorities a legal responsibility to cooperate, and to ensure that all the right people work together to get the transition right.



INVESTOR IN PEOPLE



2008-2009
Tackling Climate Change



Transport

Council's Transport Policy for children with special educational and complex needs will be reviewed;

- LA can name a nearer school to parent's preference unless the parents meet the transport costs
- Transport should only be included in the EHC plan in those exceptional cases where the child has specific transport needs
- LAs will have transport policies applying to all children with SEN and should not be used to limit parental choice of school

Statutory entitlement criteria will not change, but 'discretionary' travel may be reduced in favour of alternative approaches to include;

- Greater promotion of Independent Travel Training to promote independence;
- Increased use of Direct Payments and Personalised Budgets to give parents and carers greater choice about how children and young people are transported

A full consultation on the changes to the Council Transport Policy will take place during early 2014



INVESTOR IN PEOPLE



2008-2009
Tackling Climate Change



Joint Commissioning and Planning

Expects joint commissioning by Local Authorities and Clinical Commissioning Groups

Expects option of personal budget for families and young people with a plan



INVESTOR IN PEOPLE



2008-2009
Tackling Climate Change



What should commissioners do to prepare for changes?

- Make clear and transparent what the ‘Local Offer’ currently is and levels of funding for this offer.
- Be able to demonstrate the impact of this funding.
- Consider any gaps in the “Local Offer” identified through consultation
- Review commissioning arrangement and governance structures to ensure joint delivery
- Review 18-25 funding mechanisms
- Review personal budget systems and plans
- Re-consider pooled budgets



INVESTOR IN PEOPLE



2008-2009
Tackling Climate Change



What should schools do to prepare for changes?

- Make clear and transparent what are its targeted interventions as part of its 'Local Offer' and levels of funding for this offer.
- Be able to demonstrate the impact of this funding.
- Ensure that they employ a teacher suitably trained to fulfil the SENCO role
- Re-consider how they engage with families so that it is person-centred
- Revisit how they write reports advice and educational plans to ensure they are evidence-based short-term outcomes focussed & aspirational



INVESTOR IN PEOPLE



2008-2009
Tackling Climate Change



What should Children's Centres do to prepare for changes?

- Make clear and transparent how they contribute to the Local Offer
- Re-consider how they engage with families whose children have SEN so that it is person-centred and appropriately directed
- Revisit who they link with to support children with SEN
- Ensure they have sufficient knowledge and understanding of the new Bill and implications



INVESTOR IN PEOPLE



2008-2009
Tackling Climate Change



What should GPs do to prepare for changes?

- Make clear and transparent how they contribute to the Local Offer
- Re-consider how they engage with families whose children have SEN so that it is person-centred and appropriately directed
- Revisit who they link with to support children with SEN
- Ensure they have sufficient knowledge and understanding of the new Bill and implications



INVESTOR IN PEOPLE



2008-2009
Tackling Climate Change



What should Social Workers do to prepare for changes?

- Make clear and transparent how they contribute to the Local Offer
- Re-consider how they engage with families whose children have SEN so that it is person-centred and appropriately directed
- Revisit who they link with to support children with SEN
- Ensure they have sufficient knowledge and understanding of the new Bill and implications



INVESTOR IN PEOPLE



2008-2009
Tackling Climate Change



What should the SEN Team do to prepare for changes?

- Make clear and transparent how they contribute to the Local Offer
- Re-consider how they engage with families whose children have SEN so that it is person-centred and appropriately directed
- Revisit who they link with to support children with SEN
- Ensure they have sufficient knowledge and understanding of the new Bill and implications



INVESTOR IN PEOPLE



2008-2009
Tackling Climate Change

