Introduction

This leaflet has been designed for educational settings that make provision for children and young people with special educational needs and disabilities (SEND) living in Nottingham City.

Local Offer

Nottingham City’s Local Offer will be the one central place to access all information about services and support available to children and young people with SEND and their families. It will include information about education, leisure, social care and health services from birth to 25, and enable children and young people and their families to make informed choices.

We are developing the local offer in partnership with parents and carers, children and young people, and local services including schools, colleges, social care and health providers.

Nottingham City’s Local Offer can be found at www.nottinghamcity.gov.uk/localoffer

Support for Children and Young People with SEND

Education

Schools must co-operate with the LA in the publication of the local offer and have a legal duty to publish information on their websites about the implementation of their SEND policy and the special educational provision within their school.

All Early Years providers must have regard to the SEN and Disability Code of Practice 2014. Settings must also fulfil the statutory requirements of the Early Years Foundations Stage Framework, in relation to provision for children with SEND. There is an expectation within the framework that settings will have in place a clear approach to the identification of SEND and provide information about provision in place to meet need and how outcomes for children with SEND are monitored and reviewed.

Where a LA Funded setting identifies that a child has SEND they must work in partnership with the parents to implement a graduated approach to support, led and co-ordinated by the SENCO. This includes; assessment of need, planning of support required, implementation of the plan and a review of its effectiveness.

Schools and settings must regularly review and evaluate the quality and breadth of support they offer or can access for children with SEND. They must also co-operate with the LA in reviewing the provision that is available locally.

The Nottingham City Schools Provision Maps have been drawn up in consultation with schools, representatives from health and social care, the voluntary sector and parents’ representatives. Based on recognised national good practice, the maps provide a framework for provision in mainstream schools across the city to meet the needs of...
pupils with SEND without the need for an Education, Health and Care Plan, in line with the graduated approach required by the SEND Code of Practice (2014).

The LA is currently working with early years settings to develop provision maps similar to those agreed with schools but adapted to reflect the different needs of the early years settings. These provision maps will provide a good practice framework for settings, as they consider the needs of their children.

The framework is published as part of the local offer and identifies interventions that it is reasonable for schools and settings to provide. The range of interventions is not exhaustive. Nor is it expected that all schools and settings will provide all interventions included on the maps. Provision will vary year on year to reflect the changing needs of the pupils.

The Code of Practice makes clear that provision for children and young people with SEND is a matter for the school as a whole. Every school will undertake a continuous cycle of planning, teaching and assessing, which takes account of the wide range of abilities, aptitudes and interests which is a feature of every group of children and young people. The majority of children and young people will learn and make progress within these arrangements.

The Code of Practice also expects intervention for pupils with SEN Support to be additional to or different from the differentiated curriculum provision, which is made for all children and young people.

The Nottingham City Provision Maps outline the action schools should be taking at a universal level and the provision which is additional to or different from that which is available for all children and young people. Provision made at a universal level, high quality teaching differentiated for individual pupils, will be funded from Element 1 of a school budget. Tailored intervention support programmes may be provided through Element 2 funding. For a small number of pupils with the most significant needs additional support may be funded through Element 3, targeted high level needs funding.

The provision maps have been published as part of the local offer and may be found at www.nottinghamcity.gov.uk/localoffer

Further guidance for schools and the information they must publish may also be found on the schools extranet or at http://www.nottinghamcity.gov.uk/article/28110/Children-and-Families-Act-Schools-Conference-June-2014

**Health**

Disabled children often have very complex health needs. Health services for children and young people with SEN or disabilities provide early identification, assessment and diagnosis, intervention and review for children and young people with long-term conditions and disabilities.

Therapists have important and specific roles in supporting children and young people with SEN or disabilities, working directly with children and young people, advising and training education staff and setting programmes for implementation at home and in school.

Nottingham City Clinical Commissioning Group (CCG) works with disabled children and their families to provide the very best healthcare. The aim is to make sure that disabled children and young people grow up to be happy and healthy.
As a health service commissioner, Nottingham City Clinical Commissioning Group (CCG) has a duty under Section 3 of the NHS Act 2006 to arrange health care provision for the people for whom they are responsible to meet their reasonable health needs. This is the fundamental basis of commissioning in the NHS. Where there is provision which has been agreed in the health element of an EHC plan, health commissioners must put arrangements in place to secure that provision.

**Social Care**

Disabled children and their families often need some additional support from social care teams. This can include short breaks and respite care, holiday play schemes, care in the home, and equipment and adaptations.

Social Workers and Family Support Workers in Nottingham City Council’s Disabled Children’s Team work with children and young people, and their families, carers and other agencies, to assess needs and ensure that required specialist services are provided.

**Multi-Agency Planning and Support**

In a very small number of cases, parents/carers, the school, or professionals working with a child or young person may feel that needs are not being met by the current support available and a more detailed multi-agency plan is required. In this case, the Common Assessment Framework (CAF) process would be the best way to draw together all the professionals working with the family. The CAF should identify, at the earliest opportunity, the child’s needs and support requirements and provide them with a co-ordinated multi-agency support plan to meet those needs within universal, targeted and, if appropriate, specialist services.

If it becomes clear that the extent of the child’s needs have not been fully identified, or that, despite receiving appropriate support, the child is not making good progress, parents/carers, the school, or professionals working with the family can request a statutory assessment.
The Education, Health & Care Plan

An Education, Health and Care Plan (EHCP) brings the child’s education, health and social care needs into a single legal document. The EHCP will describe the outcomes that we would like to see the child achieve, what support is needed to achieve the outcomes, who will provide the support, and when the support will happen.

An EHCP can cover the age range from birth up to the time of leaving education, which may be up to the age of 25 if necessary.

Requesting an Assessment

The following people have a specific right to request a statutory assessment for an Education, Health and Care Plan (EHCP):

- The child’s parent
- A young person over the age of 16 but under the age of 25
- Children and young people aged 10-18 in youth custodial institutions
- A person acting on behalf of an early years setting, school or post-16 institution.

In addition, anyone else can bring a child or young person who has (or may have) SEND to the attention of the local authority. This could include:

- Foster carers
- Health and social care professionals
- Early years practitioners
- Educational psychologists
- Youth offending teams, probation services and those responsible for education in custody

Where possible, this should be done with the parent/carers’ knowledge and agreement.

Educational settings can request an EHCP application pack by contacting the Special Educational Needs (SEN) Service, either by phone on 0115 876 4300, by email at special.needs@nottinghamcity.gov.uk, or by writing to us at the SEN Service, Glenbrook Management Centre, Wigman Road, Bilborough, Nottingham, NG8 4PD.

The diagram below shows the statutory assessment process and timeline.
The Statutory Assessment Process (Education Setting Request)

- Educational setting requests application pack from the SEN Service
  - Educational settings will be expected to provide evidence that a graduated approach has been implemented over a period of time to meet the needs of the child/young person.

- Education Setting requests a facilitator from the LA, arrange a Person Centred Review (usually held at the nursery, school or college), complete the school information form and return to the SEN Service
  - Meeting with child or young person and their family and a range of professionals to gather information about what is important to the child and family, now and in the future, what support is needed and what is working and not working well.

- The SEN Service receives the PCR and school information paperwork from the educational setting
  - Further information is also gathered from Health and Social Care.

- Decision made on whether to begin a full EHCP assessment

- Decision to assess

- Decision not to assess
  - Letter written to parents (copied to educational setting) giving reasons for non-assessment and action plan to improve outcomes for the child/young person.

- Assessment information is gathered from Parent, Educational Psychologist, Educational Setting, Health, Social Care, Other Services.

- Draft (Proposed) EHCP is issued
  - Parents, educational setting and all parties involved are informed that an EHCP will not be issued and parents advised of their rights of appeal.

- Parent given 15 days to comment on the draft EHCP, to request a meeting with an SEN Officer if required, and to request a specific school or other setting.

- Schools and settings are given 15 days to respond to consultation

- Placement identified and any additional support agreed (including entitlement to home to school travel assistance). Final EHCP is issued to parents and all parties involved, including an agreed support plan and naming school placement.

Total Timeline 20 weeks
Person Centred Review

Before the 20 week assessment timeline begins, educational settings will need to arrange a Person Centred Review (PCR) and contact the SEN Service to book a facilitator.

A PCR is a radically different type of meeting in that it strives to place the child or young person and their family at the centre of the meeting process.

It does this by using a positive focus for reviewing the child or young person’s progress by starting with ‘what people like and admire about the child or young person’ as well as sharing ‘good things have happened since the last review’. However, this review of progress is equally pragmatic in that it goes on to look at ‘what is working’ as well as ‘what is not working’ from the perspective of the child or young person, family, school/setting and others.

The meeting concludes with a consideration of ‘what is important to the child or young person’ both now and in the future with respect to better life outcomes, and with questions to be answered and issues to be resolved. This is then carried forward into an action plan. Professionals at the meeting will commit to ensuring that their actions are undertaken.

There is guidance for educational settings which will be support you on how best to prepare for the review.

Once all information from the setting is received by the SEN Service, it will be sent to a decision-making panel made up of education, health and social care managers to decide if it is necessary or advisable to undertake a full statutory assessment.

Decisions not to proceed with a full assessment

Where a decision is made not to proceed with a full assessment, the action plan drawn up at the PCR, and any other actions identified by the decision-making panel, will be sent to parents/carers and the educational setting along with the panel’s reasons for not continuing with the assessment.

Making the Assessment

If the panel decides to proceed with a statutory assessment, all parties will be sent a letter telling them this and outlining the assessment process. The LA will then gather further information and advice from those involved with the child to add to the information already provided.

At this point, you will only be asked for information relating to the educational outcomes for the child or young person, and the provision you consider they require.

The parents/carers will be contacted by the Key Worker Team, to determine what advice and support they might need.

Key Worker Team

As part of the EHC planning process, a key worker will;

- guide and support individuals and families through the Education, Health and Care plan process
- work with the indicative personal budget to help produce a plan of support
- provide information on what is available locally
- discuss other suggestions to help support the child or young person’s unmet needs.
In Nottingham City, we have a dedicated Key Worker Team that can provide this support. Alternatively, if the child or young person already has someone who works closely with them, and it is agreed that this person can provide that support, the Key Worker Team will help that individual support the child or young person through the process.

**Issuing the Draft EHCP**

Educational settings will be contacted within 8 weeks of the decision to assess to inform them of whether the LA has decided to issue an EHCP. If not, they will be given the reasons why the LA has made the decision not to issue a Plan.

If the LA has issued a draft EHCP, the sections about the school placement and the personal budget will not to be completed. The parents/carers will be asked to identify within 15 days which school or schools they would like us to consult about a place for the child. This can be, and often is, the school that the child currently attends. Parents/carers will also be able to comment about the content of the EHCP and consider whether or not they wish to take any part of the High Level Needs funding identified as a personal budget.

**Personal Budgets**

A personal budget is money or services provided by the council and/or other organisations, for example the NHS, to give children, young people and their parents or carers greater choice and control over the support they need. The budget can be used in creative and new ways to support the unmet needs identified in the child or young person’s assessment. Providing the suggestions do not impact on the individual’s health, safety or wellbeing, are legal and meet the aims in the child or young person’s support plan and the outcomes in the EHCP, there are many different options available.

Young people and parents of children who have EHC plans have the right to request a Personal Budget, which may contain elements of education, social care and health funding. A Personal Budget however is optional, and cannot be used to purchase a school place.

The Element 3 (Top-Up, HLN funding) part of any support or provision could be released as a personal budget. However, if a place at a special school is chosen, it is generally considered to use up the education part of a personal budget and does not usually leave anything spare for a family to use in a different way. (Specialist support is included in the Top-Up costs of the special school, so in effect the family has chosen to use the available Element 3 to purchase that support from the special school). If the family choose a mainstream school, the Element 3 could be released to parents to commission specialist support from elsewhere or in a different way. Families can also negotiate with mainstream schools to release part of the school funding (Element 2 in addition to Element 3), but head teachers can refuse to release any Element 2.

The following educational funding streams have been identified as potentially available as personal budgets if requested:

- Targeted High Level Need Funding (previously MSG) – the Element 3 amount.
- Inclusion Support Grant (ISG) if in pre-school settings.
- Inclusive Education Service (IES) Sensory Team Staffing Budget – only those 1:1 sessions provided directly to children by Teachers of the VI and Teachers of the Deaf.
- SEN Home to School Travel Assistance – only available if the travel assistance criteria are met. This will not be included in draft EHCP as a school/setting will not have been agreed at that point in the process. A personal budget for travel assistance would need to be agreed at the Final issue stage if the parent wanted to take it.

Four steps are used during the EHCP process leading to the offer of a personal budget:

1. **Listen and Understand** – a Person Centred Review meeting with the child or young person, their main carer and professionals from education, health and social care is held to understand what may be needed. This will form the basis of the plan and the headings, or ‘outcomes’, needed to support the child or young person. It may also identify where further assessments are required.

2. **Agree and Allocate** – if it is agreed an EHCP is needed, based on the information previously gathered, including any assessments that have taken place, an initial allocation of money, called an indicative personal budget, is calculated.

3. **Planning** – with the assistance of a ‘key worker’, the child or young person uses the indicative personal budget to choose what sort of things they would like to support their unmet needs. This will involve making the best use of what is available locally and discussing other suggestions to meet the outcomes of the support plan. If the parent, child or young person agrees to the draft EHCP plan, and it is approved by the council, a final EHCP will be issued. This will include:
   - the details of the final personal budget agreed
   - what it will be used for, and any flexibility in its use.

   This may include the details of any money to be paid directly to the child or young person, or a named person they choose to represent them, to purchase their support.

4. **Review and Learn** – once the plan and the support identified within it has started, reviews will identify the things that have worked or have not worked, and set out any changes that may need to be made.

Below is a diagram to show the specific steps we use to set up a personal budget, including some of the terms / language we use:
There are a number of ways families can receive a personal budget and use it to access support:

- through a direct payment – where individuals receive the cash to contract, purchase and manage services themselves
- an arrangement – whereby the local authority, school or college holds the funds and commissions the support specified in the plan (these are sometimes called notional arrangements)
- third party arrangements – where funds (direct payments) are paid to and managed by an individual or organisation on behalf of the parent or young person
- A combination of the above

Direct Payments are 'cash' payments for those who would like to arrange and pay for their own care and support instead of receiving them directly from the local council or health provider. This could mean employing their own personal assistants, arranging support with holidays or accessing activities.

Taking on this type of responsibility, for example, the paying or recruiting of personal assistants can be daunting, so the local authority can help identify a selection of providers that can support families with these tasks.

**Placement Consultation**

Following the issue of the draft EHCP, educational settings will have 15 days to respond to the consultation. They will be asked to comment on whether:

- the school/setting is suitable to the child's/young person's age, ability or aptitude or to their special educational needs
- the child's/young person's attendance would be compatible with the efficient education of the children/young people with whom he/she would be educated
- the child’s/young person’s attendance would be compatible with the efficient use of resources

The LA is required to give very careful consideration to the views expressed by those consulted, before making the decision as to whether to name an educational setting in the final Plan.

**Issuing the Final EHCP**

Educational settings will receive a copy of the final version of the EHCP 6 weeks after the issue of the draft EHCP.

The EHCP will be reviewed annually using a person centred process. Further advice about the Annual Review process will be available shortly on the schools extranet.

**Conversion of Statements to EHCPs**

Children and young people who already have a Statement of SEN, and some young people with Learning Disability Assessments (LDAs), will need to have their Statement or LDA converted to an EHCP, and the Department for Education (DfE) has given LAs until March 2018 to do this.

It is expected that all children and young people who have a Statement and who would have continued to have one under the current system, will be transferred to an EHCP.

Until a Statement has been converted into an EHCP, the Statement will continue to provide the same legal protections as currently and there will be no impact on the
support or provision the child or young person currently receives. Any changes to the support or provision needed will be managed in the same way as currently, through discussion with the SEN Service.

Nottingham City has prepared a Conversion Plan as required by the DfE, and this can be found on the schools extranet. Parents/carers have been advised in which year the Statements for their children will be converted, and schools have been advised of when the conversion reviews need to take place, and the process to be followed.

The LA will be working with colleges over the next year to identify the best way of converting LDAs to EHCPs during phase 2. We will look to review the need for High Level Needs (HLN) funding on an individual basis and will convert the LDAs of those young people who will continue to require HLN funding from September 2016 onwards.

**Further Support and Advice**

Information on the Children and Families Act 2014 is available at [www.gov.uk](http://www.gov.uk)

The new SEN Code of Practice can be downloaded from this link:

The DfE has published a guide for early years settings:

The DfE has published a guide for schools:

The DfE has published a guide for providers of further education: