

# SEN Services and Education

## Questions for Our Voice 'Meet the SEND Heads'

### Q&A Panel session

#### Questions raised during the session

- *When parents chose school preference for their child, will they get that school if a place is available or does the LA decide the school for the child?*

The Children and Families Act 2016 Section 39 is very clear that the LA must name the requested school in the EHC Plan unless three exceptions apply:

- 1) The school is unsuitable for the age, ability, aptitude or special educational needs of the child
- 2) By the child attending the school, it would be incompatible with the provision of efficient education for others
- 3) By the child attending the school, it would be incompatible with the efficient use of resources

Effectively, this means that if the school as a type is considered suitable to meet the child's needs, it would not be incompatible for them to attend and there is not another school that would cost less money per year to support the child, the placement should be named. Mainstream school as a type of school is always considered suitable, however, for a particular mainstream, it might not be practical to prevent incompatibilities so an alternative mainstream school might be named. Without looking into individual cases, we cannot say for certain that a placement would be named, however common occurrences whereby the placement is not named are in the following examples:

- a) A request is made for a special school that is designated to meet the needs of pupils with Autistic Spectrum Disorder and the child does not have Autistic Spectrum Disorder.
- b) A request is made for a school that is only registered to take pupils from Key Stage 2 and the pupil is in Key Stage 1.
- c) A request is made for a particular mainstream school and in that class, there are already pupils with a high level of need that are incompatible with the child's and it would put those pupils at risk. Adjustments are considered but would not offset the risk.
- d) A request is made for a school that would cost more per year to educate the child than another school that can also meet needs.
- e) Physical adaptations would be required to the building to meet the child's needs that cost significant amounts of money but there is another school very nearby that already has the suitable adaptations made.

There are many circumstances that can affect the decision and the above are very brief overviews to give an idea of when a placement may not be able to be named, not blanket decisions. Advisory Officers are happy to talk to families about their preferences first and try to advise if they can see that there could be any reason that a placement may not be named.

- *Could the panel reassure parents that they will press the DfE/Govt for the SEND Review to have a joint approach between education, health and care-focussing on education alone won't work. Will they also be looking at changes to curriculum and assessment which have a disproportionate effect on SEND children?*

The SEND Review has already taken place in 2019, it has just been delayed from being published due to when the UK was in Purdah for the General Election, then embargoed during Brexit and then delayed the publication due to Covid. We are expecting it to have reflected the findings of the national trial for SENDIST around Health and Care and are ever hopeful that it

will be released this academic year. There was an all-party parliamentary reviewed of SEND during Covid published recently and the 9 key areas of findings are what we already know to be problems in the SEN system nationally. Both the Head of SEN and the SEN Manager for Enfield attend national and regional update events with the DfE and other organisations such as the Council for Disabled Children to share our views on what changes should be made to the current system.

- *Is the LA continuing to bring more provision in borough?*

Yes, we are continually using data to review what provision is needed and to build it within borough to give as many of our young people as possible, the opportunity to be educated within their local community.

- *My son has got dyslexia diagnosed by an EP 3 years ago. He is under SEN register as he has got difficulties/needs in Maths and English. He is really applied, and willing to learn. He does not get any support from school despite being under the SEN Register on the grounds that there are many children like him...Is this right?*

This is too difficult to answer with limited details, however our suggestion would be that the family ask to meet with the SENCo and discuss what support is in place for him at a targeted level, if he has an Individual Education Plan and how it is reviewed, if he does not, ask why his is as it may be that he is making good progress without one.

- *Are there any mechanisms to check the efficiency of the delivery of provisions as in the plan for schools? E.g. Audits, Ofsted inspections etc.*

Schools are held accountable to their own governors, but also, provision is reviewed at the annual review. If there are very serious concerns, parents can discuss with their advisory officer and we can discuss with the school but we often find that when we look into this, there has been a misunderstanding so our suggestions would be to discuss with the setting how they are delivering the provision in plan and ask them to set it out for you in a table against how the provision is described in the plan so that it is clear. We have adapted our EHC Plan template to support a clearer understanding in section F moving forwards.

The new Ofsted framework does also have a greater emphasis on SEND and schools will not be able to achieve 'Outstanding' at their inspection if they do not have effective SEND support in place.

- *Are parents able have access to that quality assurance framework for EHCP?*

This has already been shared with OurVoice and we are happy for it to be further distributed.

- *If provisions by mainstream school have proved a failure, can I request a Personal budget to hire dyslexia tutors to give the academic support that my child needs?*

This is too difficult to answer with limited details. There are regulations about what a Personal Budget can be used for and who they can be paid to here:

<https://www.legislation.gov.uk/ukdsi/2014/9780111114056> and we would recommend you discuss with your Advisory Officer.

- *Is the council planning on opening any more ARP or satellite schools for primary age in the borough for ASD?*

Yes, we are continually using data to review what provision is needed and to build it within borough. There is an ARP application form that has been designed for schools to express an interest and a board, independent of the SEN team, set up to scrutinise applications.

- *Is it appropriate for schools/nursery to ask parents not to bring in their child to school/nursery saying that they are short staffed due to the virus? Only for the child to go into school and be fine.*

We would need more detail to answer this. Covid has caused unprecedented times for us all so there is a need to factor this in when they are making decisions about the safety of your child on site (Headteachers much have regard to Health & Safety legislation and all schools will have completed COVID risk assessments). However, your child is still entitled to provision so it

is a very delicate balance but there is an expectation that all children with EHC Plans, except those that are critically extremely vulnerable, should have remained at school.

- *What is being done to make sure schools who are struggling do not use the virus as an excuse? How are the school being supported?*

All schools are able to access support through the school improvement service and are of course accountable to their governors and to Ofsted. Through the pandemic there has been considerable resources available on a local and national level to support schools.

- *Do Additional Resource Provision have set amount of SEN children that they can take? Can reception children attend ARP? or is this only for year 1 children?*

Commissioning arrangements will vary from provision to provision and are based on a number of factors such as local demand & physical space. It is best to talk to your Advisory Officer who can talk through each one.

## Comments

The latest EPI report showed that academies were under identifying SEND. Too many parents hear -the school down the road would be better for you!

Schools do need appropriate funding, staffing etc to be able to provide for SEND children. Mainstream is not always the best place for all pupils. Smaller class sizes-an appropriate curriculum and removal of exam factories would be the best ways of moving closer to inclusion. The SEND Review needs to address this. (comment)

## Questions sent to SEN Team/Education before the conference

- *Is there a need for childcare provision after school for children who have social communication difficulties?*

There is always a benefit to have SEN wrap around provision but this isn't education provision so would be social care or voluntary sector.

- *How do the schools allocate the funding for the child's EHCP, how are they held accountable? What does post Covid look like?*

Schools do not allocate funding, the SEND service does. Schools are held accountable to their own governors, but also, provision is reviewed at the annual review. If there are very serious concerns, parents can discuss these with their Advisory Officer.

- *Why has the LA changed the timing when they undertake annual reviews? Parents were not consulted.*

This was agreed with the Department for Education pre-covid as a means to manage the demand in Enfield. We are currently investing into a monitoring system and once in place, we will be reverting back. We are expecting the SEND reforms to clarify the legal timescales for Annual Reviews as there is currently a gap in legislation that the DfE are aware of.

- *So-called 'school refusers' are often left with no support. Who is responsible for their welfare and educational provision?*

There is currently the Attendance support Unit run by West Lea for those without an EHCP. For those with a plan, SEN are responsible for arranging provision and we are currently looking into commissioning additional provision for this in borough.

- *Our children have obviously lost time in school and activities over the last year. They are all impacted differently, but mostly not well and many are anxious and stressed. They have regressed in different way, be this academic, daily living skills, inactive (increased weight), emotional and mental, social etc Children with SEND have been particularly impacted, as they were disadvantaged before the pandemic and this has been in most cases compounded by the pandemic. How does the LA plan to utilise the summer holidays to try to help our children to get back some of what they lost? I have put this as a SEN team query but not sure whether this is the best place for it? Could it also be under EPS? Or joint?*

DfE have allocated funding for summer schools and this will be organised through schools. We are awaiting further details on the proposals from the DfE. On a case by case basis, we have been looking at provision throughout the pandemic and making adjustments to support our CYP.

- *How does the borough track and monitor our SEN population from when they enter the SENs radar, and ensure that there is sufficient provision for them? It appears that there are too few places for our children at Special schools for example, one parent has been told that West Lea is 300% over-subscribed. Mainstream is not always an option and in some cases parents are being told to go out of borough. How can this be right, and what options are available to parents? Are SEN parents expected to hunt possible places down on their own?*

We have a range of mechanisms (School census data, SEN2, Health birth data) which also includes a newly developed Data dashboard and a school Improvement plan to monitor SEN support. Actions within the SEN strategy to address need for children and families of which the borough is currently being consulted on. We also have a plan to grow provision in the borough and to cover all geographical areas.

Parents are expected to make their own preference but we do include details of provisions on the local offer with links to neighbouring borough local offers.

- *What is being done to ensure that mainstream schools in Enfield provide adequate support for children with special needs? What training and communications are being delivered to them and is there any accountability? All too often it feels as if mainstream schools are reluctant to take on children with special needs but they seem to be 'let off the hook' and children end up being pushed into special schools when they could easily have been placed in mainstream with proper support in place.*

Both the Head of SEN and the SEN Manager for Enfield have been meeting with schools regularly to discuss how provision is made and how Enfield Children and Young People are supported. There is also a team of school improvement advisors for SEN that run training, meet regularly with SENCOs and discuss provision. As a borough we are committed to equality and equity of provision to support mainstream inclusion. The SEN team have been directing admission when a response is not lawful.

- *When parents are struggling to get help (especially those with children in mainstream schools), is there one place where they can call to get real help rather than being sent round in circles?*

Talking to your child's SENCO/ Advisory Officer is always recommended as your first point of call but also SENDIASS are an information and advice service in borough to support families. You can find their contact details on the local offer.

- *Legislation states that provision in EHCPs should be 'SMART' and must state who is doing what, when and for how long/often. However, in many Plans wording around provision is very vague with phrases like "have access to" or "will need adult support" being used. Can the SEND team ensure that provision in future plans is more specific?*

This is already part of our quality assurance process introduced this academic year and from dip samples we have undertaken as a management team, we can see that this is improving significantly. All officers have training on plan writing

- *How frequently are joint placements (special needs and mainstream) offered in Enfield?*

Infrequently, partly because it isn't often requested but also because it isn't suggested as an option, however this is something we have identified ourselves and are trying to develop a way to support more frequent dual rolling, particularly to support transition back to mainstream schools for learners leaving specialist provision. If you are interested in this as an option, please discuss with your Advisory Officer and we can follow up.

- *Why across the Enfield borough are mainstreams school cutting the hours for additional needs children?*

We would need more detail to give a response to this as it is unclear what is meant.

- *How do secondary applications work with a child on the SEN register?*  
You apply via the normal admissions process, however, you have the option of including additional information that you think is relevant to your application.
- *Russet House school has lost funding recently for extra-curricular activities (horse riding, tennis). How can we address this?*
- This is a school specific question and would need to be answered by the school.