



Children's Services

SEND Reforms in the Children & Families Bill from September 2014 Frequently asked Questions

The Children & Families Bill 2013 aims to:

Improve outcomes for all vulnerable children/young people and their families; develop joint multi-agency responsibility and working; give parents/carers more choice and control and ensure flexible local approaches to identifying and meeting needs.

Here are some of the most frequently asked questions about the new changes.

Single Assessment	
<p>What is a single assessment?</p>	<p>If you or someone you are working with feel that your child/young person (aged 0-25 years) needs extra support, because of Special Educational Needs (SEN), disabilities or other complex health and social care needs, you can apply for a single assessment.</p> <p>A single assessment brings together professionals from health, education and social care services who will work in partnership with you and your child/young person to listen, understand and plan support to enable your child/young person to achieve what they want from life.</p>
<p>If a single assessment is agreed for my child/young person what will happen?</p>	<p>A professional will be identified to be your Plan Co-ordinator. They will be the person who keeps you updated on the progress of your application, or who you can contact if you have any questions throughout the process.</p> <p>A team (from Education, Health and Social Care Services) will work in partnership with you and your child/young person. They will gather information by listening, bringing together information from previous assessments and if needed, arranging new assessments.</p> <p>When all the information is gathered, everyone who has been involved in the assessment stage will agree with you the support needed for your child/young person to achieve what they want from life. This will be recorded in your child's Educational, Health and Care Plan.</p>

Education, Health and Care Plan	
What is an Education, Health and Care Plan?	The EHCP will replace current statements of SEN and will describe what outcomes we all want for your child/young person, what support is needed to achieve these outcomes, who will provide the support and when the support will happen. EHCPs will continue into further education and training, and for some young people up to the age of 25.
Will all children with a need for extra support require an EHCP?	No, an EHCP will only be issued when the panel of professionals working with your child consider that your child's special educational needs cannot be reasonably provided for with resources normally available through the service/school local offer. Some children may have a Provision Plan which will identify additional support needed.
Will there be help for children without an EHCP?	Under the Children and Families Bill and the Code of Practice, School Action and School Action Plus will be replaced with SEN Support which will provide support for children without an EHCP.
What is SEN Support?	SEN Support will be the support available in school (including pre-school, nurseries and Children's Centres) for children and young people who have special educational needs but do not have Education, Health & Care Plan. Additional SEN Support is support to meet a pupil's needs so that they can meet their individual goals.
Who owns the EHCP?	The EHCP is owned by the child/young person, parent/carer and all professionals involved in the plan. The outcomes and actions are jointly owned by all contributors to it – across all agencies. The Plan Co-ordinator is the family's single point of contact and helps to co-ordinate the delivery of the plan.
Will families hold a copy of the EHCP?	Yes families will have a hand-held copy.
How often will the plan be reviewed, and who will review?	The EHCP plan must be reviewed on an annual basis but parts of the plan may need to be reviewed more regularly, for instance if the child's or family's circumstances change. At the annual review new outcomes will be identified in line with progress and development. The Plan Co-ordinator will arrange reviews of the plan.
Will the criteria for EHCP be different to the statement?	Yes criteria will be reviewed in line with National Guidance.
What will happen to children/young people that currently have a statement?	There will be a conversion of existing statements to EHCP over a 3 year period
How can we ensure that all agencies engage effectively in the planning and delivery of EHCP?	The Children and Families Bill will place a duty on Education, Health and Social Care to deliver the relevant elements of the EHCP

Education, Health and Care Plan cont....	
Would this mean more in-depth meetings which are lengthy, at inconvenient times and places, and are professional led, with a parent being dictated to.	Parent/Carers are central to the process. The assessment and plan will be family led and the plan will be a joint one between the family and the appropriate agencies. There should be no meetings where the family feels they have been dictated to by practitioners. There may be times when there has to be negotiation and ways forward agreed but there will be a real demonstration of parent carers and agencies working together as partners to identify and provide the support required.
How do I get an EHCP?	You would complete an application form for an EHCP single assessment or a professional can do this on your behalf with your consent. The application form asks for information about your child/young person, including details of services they are already working with, their strengths, their needs and reasons for applying.
Who will sit on the decision panel?	Representatives from Education, Health & Social Care (including Headteachers, SENCo's and Specialist Services)
What is the difference between a Statutory Assessment and the new Single Plan Assessment?	The new EHCP is more person centred and reflects whole life planning (0-25 years). There will be more information on what is important to the child and family. Parents, children/young people will have a greater involvement in decision making. Families will only need to tell their story once.
What is the legal status of the Education, Health and Care Plan?	The Education, Health and Care Plan will have the same legal status as a statement of SEN.
What will happen to my child's EHCP if I move to another authority?	The plan will go with the child and will be reviewed by the authority in which the child moves to.
My child has a Core Assessment, will he need both this and an EHCP?	No if an EHCP is needed this will include the Core Assessment, however there will be children involved with Social Care who will not have an EHCP.
With the current Code of Practice the child has IEPs and an Annual Review will this continue?	The new draft Code of Practice is not yet final, but we do know that an EHCP will be reviewed at least annually and more frequently if required. IEP's may change as review how we will monitor progress
Where would the annual review take place?	It would be arranged in the most appropriate place for you and your child
Where will the information for the EHCP be held?	Parents and all those involved in drawing up the plan will have a copy. It will be held electronically by the Local Authority.
My child goes to different hospitals for treatment, I have concerns on the Health aspect of the plan as there may not be consistency.	The Plan Co-ordinator will gather all information from all health professionals.
Who will co-ordinate my plan?	A Plan Co-ordinator will be appointed on receipt of the application for an EHCP

Personal Budgets	
What is a personal budget?	If a personal budget is agreed, it will provide flexibility about what and how a child's needs are met.
What services are included in the personal budget?	A personal budget can be used to pay for a range of care and support as well as equipment. The personal budget will be provided to meet the outcomes in the agreed support plan and the funds must only be spent for this purpose.
How will personal budgets be funded?	Personal budgets are funded using the money that the Council and NHS use to pay for services now. There is not any new money
How will personal budgets be calculated and agreed?	We are currently looking at the way in which personal budgets will be calculated. We are developing a resource allocation system – this identifies an indicative budget value for a child according to their needs and age.
How will personal budgets be managed?	A personal budget can be used either to ask the council to arrange services; it can be made as a direct payment or managed by an approved third party. If a direct payment is chosen this can be a one off or paid monthly. You will discuss this with the Plan Co-ordinator who will be working with you on your child's EHCP.
Local Offer	
What is the Local Offer?	It is a requirement for the local authority to publish information about what services and provision it expects will be available for children and young people with SEN aged 0-25 years. The Local Offer must include information about Education, health and care provision for children and young people with SEND, arrangements for identifying and assessing children and young people's SEN, other provision, training provision, arrangements for travel to and from schools, support to help children and young people in moving between phases of education and to prepare for adulthood. It will include sources of information, advice and support in the local authority's area relating to SEN.
How will the Local Offer be managed?	All services will have a Local Offer. Keeping the Local Offer up to date will be a partnership effort with various agencies and organisations being tasked to keep their information pages accurate and up to date.
What are the statutory requirements for schools to publish their Local Offer?	Schools are required to publish their arrangements for special educational provision. This includes:- <ul style="list-style-type: none"> • maintained schools, including provision made available in any separate unit • academies, including provision made available in any separate unit • non-maintained special schools.

Local Offer cont...	
If I live in Walsall but my child attends another authority school, how would the authority monitor the "local offer" of another authority school?	The authority where the school is based will monitor the school local offer.
Housing – how does this fit into the Local Offer?	We will be talking to Housing to ask what their Local Offer is. All services need to provide us with their Local Offer including Benefits, Housing and Finance.
Will the local offer include information on what advice is available for parents to get their needs met and how can you access help?	Yes social care will assess family needs if this is appropriate and their Local Offer will explain this.
Other Questions	
How would disagreements be handled	It is always best to talk about disagreements at the earliest possible stage, involving parents, school based staff and other relevant professionals. Parents can contact the Parent Partnership Service, which is an impartial service with a role to help all parties to communicate and explore options when there are disagreements. Parents with an EHCP may also choose to use the independent mediation service. Complaints procedures for schools and all agencies can be used. An Escalation and Resolution panel will be set up to look at dispute issues and make decisions.
If my child does not have a statement and does not need a EHCP what/how/who will enforce schools to give children the right type of education to allow our children to flourish as individuals.	Each school and service will develop their 'Local Offer' which will set out the services which are available in that area and who is accountable for what. This will include what schools are required to do. The governing body at a school has a responsibility to make sure that the needs of all pupils are met.
What does the Act mean for the health services?	The Children and Families Act places duties on the health service in relation to children and young people with SEN. The health service means the responsible commissioning body, which will normally be the local Clinical Commissioning Group (CCG) but for children and young people with certain health conditions this may be NHS England. The health service must engage with the Local Authority to create joint commissioning arrangements for the health and social care provision required by children and young people identified as having SEN and they must cooperate with the Local Authority in the creation of Education, Health and Care Plans.
I feel that schools can't be bothered if they have a challenging child, what will the reforms do about this?	All schools will have their own Local Offer and this will include what they do about challenges. The "Team around the School" will address these issues. All schools in an area will meet with all services to discuss and agree support for any challenges they have. The authority will continue to monitor how the new systems are working.

Other Questions cont....	
How do the reforms apply to Academies?	The same law applies to Academies, free schools etc., for Special Educational Needs pupils.

If your question is not included in the above please contact us at:-
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or contact:-

Parent Partnership Service on 01922 650330.
Email: parentpartnership@walsall.gov.uk