

# Southend-on-Sea Borough Council

Department for People

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Date: September 2014

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Parents/carers of pupils with statements of SEN

Dear Parent/Carer

I am writing to let you know that from September 2014 the government is introducing changes to the way that children and young people with Special Educational Needs are supported whether they are in early years settings, schools or colleges. These are quite big changes but we have been planning carefully to make sure that there is as little disruption as possible for families and children.

From September 2014, there will be no new statements of Special Educational Needs (statements) issued. Instead, following an Education, Health and Care (EHC) needs assessment it will be an Education, Health and Care (EHC) plan that is issued. The EHC plan will bring together in a co-ordinated way all of the assessment information and services and support that children and young people need across education, health and care. Young people and their parents/carers will be fully involved in producing the EHC plans through a much more personalised approach.

Over the next 3½ years all statements will need to be converted into an EHC plan. As your child currently has a statement we will be working with you and your school or setting to convert this into an EHC plan. We cannot change everybody's statement of SEN all at once and we have developed a conversion plan. We will be prioritising children and young people who need to change type of school or setting first. We will be writing to you to let you know when your child's conversion review will take place.

There will be no change to the way children at School Action or School Action Plus or Early Years Action or Early Years Action Plus receive support but this will now be called "SEN support". This will still be a graduated approach to identifying need and providing support in schools and settings.

There are other developments in the new Code of Practice that we have been working on. These include the Local Offer which will set out all of the services and support for children and young people with SEN and linked to that we are looking at how we can develop personal budgets for children and young people with SEN. This is still work in progress and we will be giving you information about these in due course.

The attached leaflet sets out some more information about the new system and how the conversion of statements to EHC plans will work. We have arranged meetings and workshops for parents/carers to explain all of the new arrangements and to give you opportunities to ask questions. You can find details of your local workshop in the leaflet. Your school or early years SENCO will also be able to answer any questions you might have.

Yours sincerely

*Ian McFee*

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Sandra Bingham

Group Manager Special Educational Needs & Inclusion

# Southend Borough Council

## Information leaflet for pupils with a Statement Special Educational Needs or a Learning Difficulty Assessment

### Why have I received this leaflet?

We (the local authority) have sent you this leaflet because you either have a child, or you are a young person over the age of 16, who is undergoing a statutory assessment, has a Statement of Special Educational Needs (Statement), or has a Learning Difficulty Assessment (LDA).

### Why are changes being made?

The new Children and Families Act 2014 (the Act) changes the way in which children and young people with SEN and Disabilities are supported in school and in the community. The Act will be implemented in stages from September 2014.

### What has changed?

The main changes introduced by the Act are:

- A new SEN Code of Practice from ages 0-25.
- A better family-centred approach with more family involvement and improved rights and protections
- A change from School Action and School Action Plus to a single stage called 'SEN Support' – available in schools and nurseries for young people with less complex needs
- Statements and LDAs will be replaced by Education, Health and Care (EHC) Plans
- From September 2014 no new Statements will be issued
- All current Statements and LDAs will be changed in a gradual process from September 2014.
  - existing Statements will be converted to EHC plans over the next 3½ years and be completed by 1 April 2018
  - existing LDAs will be converted to EHC plans over a 2 year period and be completed by 1 September 2016

### What is an EHC Plan?

An EHC plan is different to a Statement or LDA. It brings together all the education, health and social care needs for young people aged 0 – 25 and sets out the provision the young person needs from these services. EHC plans are legally binding and give young people in education or training the same legal protections currently given by a Statement and in some cases could remain in place up to the age of 25.

### When will Statements be converted?

The government has stated that we must prioritise children and young people who are transferring between schools because of their age, because they are changing

type of school or they are in year 9. We are taking a staged approach with years 2, 6, 9, 11, and 14 in all settings and year 13 students in mainstream school sixth forms having their statements converted each year. In addition children in nursery will have their statements converted in the first year.

The table below shows when Statements will be converted by year group in September 2014.

Young person's year group as of September 2014	Academic year during which conversion to EHC plan will take place
Nursery (age 3+)	2014/15
Reception (age 5)	2016/17
Year 1 (age 6)	2015/16
Year 2 (age 7)	2014/15
Year 3 (age 8)	2017/18
Year 4 (age 9)	2016/17
Year 5 (age 10)	2015/16
Year 6 (age 11)	2014/15
Year 7 (age 12)	2016/17
Year 8 (age 13)	2015/16
Year 9 (age 14)	2014/15
Year 10 (age 15)	2015/16
Year 11 (age 16)	2014/15
Year 12 (age 17)	2016/17*
Year 13 (age 18)	2015/16*
Year 14 (age 19)	2014/15

\*Conversion will be in the year before the date shown for young people in a mainstream school sixth form.

We have developed a Transition Plan which details when each year group will be converted. This will be published in the Local Offer section of Southend's SHIP directory website (<http://www.southendinfopoint.org>).

### **Will all Statements and LDAs change to an EHC Plan?**

The criteria for issuing a Statement and an EHC plan are the same. Therefore it is likely that all young people who currently have Statements will have them transferred to an EHC plan. There is the possibility, just as there is now, that a review may result in the Statement being discontinued rather than converted to an EHC plan. This would be because the child or young person is making good progress and an EHC plan is not needed.

LDAs will be converted on request from the young person (or parent where the Mental Capacity Act is relevant). College students with LDAs should be signed on to one or two year courses and the LDA should be reviewed and either ceased or converted during the last year of study. We will inform young people who have an LDA of their options and where they can get advice and support about applying to convert to an EHC plan.

It is possible that some young people will complete their education before the planned date and may never need to have their Statement or LDA converted. Others may have only just received a Statement or LDA so may need to wait for a year or more before it is converted. In any case the legal protections for Statements and LDAs remain in place until the dates specified. All young people will continue to receive the provision they are entitled to through their plan regardless of whether it is a Statement, LDA or an EHC plan.

### **Will having an EHC plan rather than a Statement or LDA change the amount or type of support a young person receives?**

The process of conversion will not change the amount of support already received from Education, Health or Social Care but the EHC plan will state all the provision your child requires from each these services in one place. The support will only change if your child's needs have changed in the same way it would currently, through the process of an Annual Review of the Statement or review of a support plan from another service.

### **How will a Statement or LDA be converted to an EHC plan?**

There will be a conversion review meeting similar to an Annual Review meeting. In the year of the conversion, the setting will notify the family the date the review will be held.

Before the meeting the setting will gather reports from parents, young person and all professionals who are involved in supporting them. If parents or the setting feel any additional reports are required the school will notify the local authority so these can be gathered in time for the meeting.

The meeting will review the child or young person's progress over the previous year and set the outcomes they would like to work towards and the support they will need to achieve their outcomes.

Until the time of your conversion review, Annual Reviews of the current Statements will continue as normal.

### **Can I ask for my child's Statement or LDA to be converted straight away or at a different time?**

You will be given the chance to discuss the proposed conversion date and should you wish to make a case for the conversion to be in an alternative year your case officer will discuss this with you on an individual basis. However, as we have a significant number of Statements and LDAs to convert it may be difficult to agree to requests to convert at a different time.

### **What if my child does not qualify for an EHC plan?**

The Code of Practice applies to all young people with special educational needs and governs the way those needs are met either through an EHC plan or through the provision that is ordinarily available through schools and other universal services.

Young people with SEN who do not have an EHC plan will have their needs in their school or setting met through ordinarily available provision. Schools have money in

their budgets to provide for children with SEN including those who have a Statement or EHC plan.

### **What if I do not agree with the local authority's decision?**

It is the case now and will be under the new system that we will not always agree with families, schools or representatives about whether a young person's needs are such that we need to make provision through a statement or an EHC plan. Some young people's needs may have changed to the extent they may no longer need a Statement or LDA and there may be many young people whose families are happy for their needs to be met through the provision that is ordinarily available within their school, college or setting.

If however, we reach a point where we disagree and we cannot resolve our disagreements through informal discussion and/or mediation then families will have rights to go to the Special Educational Needs Tribunal Service.

### **How can I find out more information?**

You can contact the SENCO or Learning Support Manager at your child's school or college to discuss support currently being provided.

We are holding workshops for parents to explain the change to the new system and how this will affect your child. There will be a brief presentation of the main changes and how they are being implemented in Southend followed by a general question and answer session and the chance to talk to a case officer to discuss specific questions or concerns regarding your child's Statement or LDA. Please see below for details of the sessions and email [SENannualreview@southend.gov.uk](mailto:SENannualreview@southend.gov.uk) or call 01702 212823 to indicate which session you intend to attend.

<b>When?</b>	<b>Where?</b>
Friday 12 September 2014 9:30am to 12:30pm	Johnson Room, The Tickfield Centre, Tickfield Industrial Estate, Tickfield Avenue, SS2 6LL
Monday 15 September 2014 11:30am to 2:30pm	Oak Room, Blenheim Children's Centre, School Way, Blenheim Chase, SS9 4HX
Friday 19 September 2014 11:00am to 2:00pm	Sports Hall, Shoeburyness Youth Centre, Delaware Road, SS3 9NS