

Special Educational Needs and Disability Code of Practice 0-25 (2014): What You Need to Know

On July 29th, the Department of Education published a new version of the Special Educational Needs and Disability (or SEND) Code of Practice, to come into force as of September 2014 with a transition period until 2017. Like the 2001 Code, this document still very much focuses on the inclusion of children with special educational needs and disabilities in mainstream education, and provides guidance on how to do this. However, there are some major changes that you should be aware of when discussing this piece of legislation in your evidence.

Age Range: 0-25

As of September 2014, children and young people up to the age of 25 will be supported by the new Code of Practice. Under the age of 16 the term child is used, and after the age of 16, the term young person. An assessment of needs can be requested at any point up to the age of 25, and provision must be made for anyone with SEND until this point.

Family-Centred Approach

Children and young people with SEND and their families are going to have a much stronger role in the decision-making process, and a more child-centred approach is to be adopted. Children and young people and their families should be consulted by institutions and Local Authorities (LAs) at every step of the process, including the support that is to be offered and what they want to achieve. After the age of 16, it is the young person's views that take precedence, so they should be consulted directly rather than their parents. Parents and young people should also be involved in reviewing the intended outcomes of the plan, and any amendments that are made to it.

Education, Health and Care Plans

SEN Statements and Learning Difficulty Assessments are going to be replaced by the Education, Health and Care plans. These plans will detail the education, health and care support that is to be provided to a child or young person with SEND. It's written by the LA after an EHC assessment, which can be requested via parents, young people, medical professionals or educational institutions, through consultation with other agencies. Students who currently hold a statement or LDA will be transferred to an EHC plan before 2017.

Removal of School Action and School Action Plus

School Action and School Action Plus will be removed and replaced by a single school-based category for children who need specialist support. Guidance will be provided on a graduated approach to identifying and supporting SEN, and schools should set out the interventions and expected outcomes for individuals. Parents will need to be consulted in supporting children who don't have an EHC plan.

The Local Offer

LAs are to write a Local Offer, a source of information about provision across education, health and social care for those with SEND, including those without an EHC plan. LAs must engage with families to ensure the provision is responsive to the needs of those living with SEND. The offer must include information on requesting EHC assessment, educational provision, post-16 provision, preparing for adulthood, travel arrangements, educational transition support, leisure activities, arrangements for resolving disagreements, LA's accessibility strategy and a list of approved institutions, amongst others. The Local Offer should also be available to those who don't have an EHC plan, but who do receive additional

support

Personal Budgets

A personal budget can be requested to assist in delivering the provision set out by the EHC plan, where the parent or young person is involved in securing that provision. The money can be held directly by the parent of young people, or be held and managed by the LA, school, or other organisation and used to commission the support laid out in the EHC plan.

Transition to Adulthood

There is going to be a much greater focus on the transition to adulthood and ensuring that children and young people with SEND can do so successfully. From Year 9 onwards there should be an emphasis on supporting independence, which will include engaging the children and young people with such topics as:

- Higher Education or employment - what they want to do after school, and what is available to them
- Independent living - where do they want to live? who do they want to live with?
- Social participation - what's available for them to partake in social activities? How can they become active members of the community?
- Health and lifestyle - how to look after finances, healthy living such as food shopping, sporting activities

This aspects will be included on the EHC plan, and should be reviewed annually from Year 9 to ensure support and provision are effective.

Key-Worker Approach

LAs are to adopt a key-working approach, whereby families should have a single point of contact for all issues relating to the EHC assessment and plan.

Teachers are responsible for progress

More focus is being put on support to succeed in education, and teachers will be responsible and accountable for ensuring all those with SEND make progress and develop, and this should be reflected in their targets and aspirations. This will form part of performance management in schools, and inform professional development. For teaching assistants, this may mean more focussed work with children and young people with SEND, and more involvement in the planning of activities and reviewing of objectives and outcomes to ensure those aspirations are being achieved.