

Supporting children and young people with SEND as schools and colleges prepare for wider opening



May/ June 2020



Areas covered

- Schools and colleges - wider opening from June 2020
- Supporting children and young people with SEND as schools and colleges prepare for wider opening (risk assessment)
- Temporary statutory changes - update



Schools and colleges - from June

- Education settings are already open to priority groups.
- From 1 June, at the earliest, primary schools to welcome back children in Nursery, YR, Y1 and Y6, alongside priority groups.
- From 15 June, at the earliest, secondary schools, sixth form and FE colleges to offer some face-to-face support to supplement the remote education of Y10 and Y12 students, alongside the full time provision they are offering to priority groups.
- From 1 June, all special schools to welcome back more children.



Supporting children with EHC plans in mainstream schools, colleges and AP settings

- Schools and colleges should continue to offer places to priority groups, inc. those with EHC plans.
- Includes special units and resourced provision.
- Schools, colleges and LAs should ensure that risk assessments for CYP with EHC plans are kept up to date.
- Risk assessments should inform the way a school or college supports CYP with EHC plans as they return.
- LAs and educational settings should judge whether risk assessments continue to be useful for each child or young person after they have returned to their setting.



Early years and childcare settings

- Readjustment to routines may prove more challenging for some children with SEND.
- Need to ensure that the setting:
 - has the staffing needed to support children with SEND at safe ratios,
 - has a member of staff designated as a SENCo or interim SENCo
 - involves parents and carers in planning and agreeing any changes to support, inc. reviewing EHC plans



Secondary schools - Information for parents

- Schools are also considering how to provide extra support to children who will find it harder to learn at home or are making the least progress.
- This could include children with SEND, children who receive free school meals, and children who have a social worker.
- If you feel that you need some more support, contact your child's school.



FE providers

- From 1 June at the earliest, more 16-19 learners in key assessment years, in addition to priority groups, will be able to attend FE settings.
- Special post-16 institutions will work towards a phased return of more young people without a focus on specific year groups.
- All vulnerable young people continue to be expected and encouraged to attend educational provision where it is appropriate for them to do so.
- Where it is not safe for vulnerable learners to attend, or vulnerable learners cannot be persuaded to attend education settings, colleges should maintain regular communication with social workers, vulnerable learners and their families.



Specialist provision – Aims for return

- Our aim is for specialist provision to ensure increasing numbers of children and young people attend on-site education, whilst prioritising the safety of children and staff.
- Special schools, special post-16 institutions and hospital schools should:
 - work towards a phased return of more children and young people,
 - not focus on specific year groups,
 - be informed by risk assessments.



Specialist provision –priority returners

- Prioritise attendance for:
 - CYP approaching key transition points, e.g. transition to another educational setting or from education to adult life, particularly where multi-agency work to secure that progression is needed;
 - CYP who most need on-site provision to support their life chances and development, e.g. to reinstate routines and engagement with learning.
- Children and young people who are considered clinically extremely vulnerable and shielding should continue to shield and should not be expected to attend.



Supporting children in special schools and specialist post-16 institutions

- Special schools, special post 16 institutions and hospital schools should encourage attendance based on:
 - the child's risk assessment;
 - the ability of the setting to provide for their needs
- Child's year group should not be a primary deciding factor.
- Where CYP have already been attending their specialist setting, they should continue to do so.



Transitioning back to specialist settings

- We are encouraging the use of flexible approaches, such as:
 - part-time timetables and attendance rotas;
 - blended onsite and home learning;
 - phased returns for individuals or groups;
 - children and young people being offered blocks of time on-site on a rotating basis.



Risk assessments – Key messages

- Opening education and care settings to more CYP indicates that the government's five key tests have been met, and therefore there is a material change in risk levels.
- From 1 June, all educational settings and LAs should continue to offer places to all CYP whose risk assessment determined that was the right course of action.
- Settings and LAs should not continue to be bound by their original decisions to keep other children and young people at home.



Undertaking the risk assessment

- Aim is to determine where the child or young person's needs and best interests can best be met.
- LAs and educational settings should decide together who is best placed to undertake the risk assessment, noting that the duty to secure provision remains with the LA.
- To be done collaboratively, on an individual basis, with LAs and educational settings working with parent/carers, the child or young person and social workers
- Should incorporate the views of the child or young person.



Risk assessments - Purpose

- Guide decisions about which children and young people with EHCPs should be attending their educational setting.
- Take into account the changing circumstances of the CYP so that they can be return to face to face education where it is becoming unsustainable to be at home week round.
- Help make decisions about the support they should receive at home.
- Provide helpful information to head teachers and others in planning for and supporting those children and young people with EHCPs who return to education settings.



Updating risk assessments - factors to take into account

- Some parents and carers may be finding it increasingly difficult to sustain the levels of care and support that their children need;
- A potentially lower than usual access to respite and short breaks services;
- The loss of care from extended family; and
- The risks to health of caring week round for children and young people with complex mobility needs.

Where families are unable to continue supporting CYP at home, education settings, LAs and CCGs should work together with parents and carers to ensure that CYP can return promptly to their education setting.



Planning for return to school

- Co-production - educational settings should contact parents and young people over 16 and involve them in decisions where their child has an EHC plan,
- Schools and colleges will need to ensure they have the staffing needed to support children and young people at safe ratios.
- LAs will also need to reinstate safe home to school transport arrangements.
- Some children and young people will need careful preparation for their return to support them to follow protective measures in the school or college.



Attendance of children and young people with EHCPs – Key points

- Attendance is expected, where it is appropriate, following a risk assessment for CYP with an EHCP.
- Regardless of year group, CYP with an EHCP who have not been attending are now expected to return to nursery, early years, school or college provision where this would be appropriate for them to do so.
- This means that CYP who are now offered a place by their educational setting are expected to attend that place.
- Parents will not be penalised if they choose not to send their child to school at this time.



Supporting learning for those CYP who remain at home, on a full or part time basis

- Schools and colleges should ensure CYP continue to engage in learning as far as possible (e.g. through remote learning).
- Providers should engage proactively with parents.
- Designing at-home learning could involve professionals such as EPs, SaLTs, OTs, to design or adapt interventions or learning materials.
- In mainstream schools, SENCOs will usually lead on ensuring those with EHCPs have access to materials.
- Online learning resources, inc. Oak National Academy's specialist curriculum and DfE published resources.



How schools can keep all staff and children safe and reduce the risk of infection

- Educational settings should be following the principles of good hygiene and hierarchy of infection control: regular, thorough hand washing using soap and water, or alcohol gel, good respiratory hygiene and cleaning arrangements.
- Social distancing measures should be in place where feasible.
- Children and staff who show symptoms of coronavirus should not attend and should instead remain at home.
- If a child or member of staff is not showing symptoms but someone in their household is, the child or member of staff should remain at home for 14 days.
- The scientific evidence shows that most staff will have no need for PPE beyond what they would normally need for their work.



Use of PPE in education settings

- The guidance recommends the use of PPE when:
 - caring for a child who has complex medical needs, such as tracheostomy care;
 - care routinely already involves the use of PPE due to their intimate care needs;
 - caring for a child or young person who is demonstrating symptoms of COVID-19.
- Settings and providers should use their local supply chains to obtain PPE.
- Where this is not possible, they may approach their nearest local resilience forum.



Working hands-on with pupils and students who cannot adhere to strict hygiene practices

- Some children and young people with SEN present behaviours that are challenging to manage, such as spitting uncontrollably.
- It will be impossible to provide the care that some children and young people need without close hands-on contact.
- Staff should minimise close contact, increase hand-washing and other hygiene measures, and clean surfaces more regularly and maintain existing routine use of PPE.
- Educational settings should follow the Public Health England guidance on cleaning in non-healthcare settings.



Two temporary changes to SEND legislation

1. Section 42 of the CFA 2014 (duty to secure special educational **provision** and health care **provision** in accordance with EHC plan): the duty on LAs or commissioning health bodies to secure or arrange the provision is temporarily modified to a duty to use 'reasonable endeavours' to do so.
2. The SEND (Coronavirus) (Amendment) Regulations 2020 amend Regs that specify **timescales** that principally relate to EHC needs assessments and plans. Where it is not reasonably practicable, or is impractical, to meet that time limit for a reason relating to the incidence or transmission of coronavirus, the specific time limit will not apply - process must be completed as soon as reasonably practicable.



Record-keeping and communication

The LA and health commissioning body should:

- keep a record of the provision it decides it must secure or arrange;
- confirm to the parents or young person what it has decided to do, and explain why the provision differs from that in the plan for the time being;
- keep under review whether the provision it is securing or arranging means that it is still complying with the reasonable endeavours duty.



Implications for assessments and making of EHC plans

- Each case needs to be determined based on its own circumstances - no blanket lifting of timescale requirements, and no blanket policies.
- Where a delay is for reasons related to coronavirus, LAs and health bodies must complete the action as soon as is practicable.
- A process which started before 1 May could be subject to this exception where the deadline for the completion of the particular statutory process currently under way is on or after 1 May.
- Decisions, including those over content of an EHC plan, must continue to be in accordance with the statutory framework.



Transition

- LAs must have issued final EHC plans in line with 15 February and 31 March timescales.
- LAs will need to work with schools and colleges to ensure key support services are available to facilitate transition plans.
- We also encourage settings to pay particular attention to pupils with EHC plans about to make a transition to another setting, or onto adult life, who would benefit from some face to face support for that transition.



Key Guidance Documents

- [Supporting CYP with SEND as schools and colleges prepare for wider opening](#)
- [Safe working in education, childcare and children's social care](#) – guidance about preventing and controlling infection, including use of PPE in education, childcare and children's social care settings
- [Coronavirus \(COVID-19\): implementing protective measures in education and childcare settings.](#)
- [Actions for education and childcare settings to prepare for wider opening from 1 June 2020](#), - overarching aims and principles of the next phase, and the next steps for education and childcare providers.
- [Opening schools and educational settings to more pupils from 1 June: guidance for parents and carers](#)
- [Maintaining education and skills training provision: further education providers](#)
- [Planning guide for early years and childcare settings](#)



Final tips

- Read the various guidance documents
- Keep SEND staff and other front line SEND staff updated
- Publish up-to-date information on the local offer – co-produce with PCF
- Avoid blanket policies
- Keep records about decisions
- Communicate with parents and young people
- Work in partnership with schools and colleges/ use SENCo networks
- Support preparation for September transfers
- Keep creating solutions - “Necessity is the mother of



**An opportunity to
discuss SEN issues**



Department
for Education