

# Ealing virtual school SEN handbook

## Information for social workers



March 2018

School effectiveness

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## Executive summary

Looked After Children (LAC) and Young People (YP) are four times more likely to have a Special Educational Need (SEN) than those who are not looked after. In 2015, 61% of LACYP had an SEN compared to 15% of all children.

LACYP are almost 10x more likely than other children or young people to have an Education Health and Care Plan (previously known as a Statement of SEN).

The Special Educational Needs and Disability (SEND) Code of Practice (COP) 2014 outlines the responsibility of schools, colleges, early years settings and others, for identifying and meeting the needs of children and young people (aged 0 – 25 years) with SEN or disabilities. Most children and young people will be supported by their educational setting at what is called the 'SEN Support' stage. Others with more complex and significant difficulties may have Education Health and Care (EHC) Plan.

The SEND Code of Practice makes it clear that it is the responsibility of the educational setting to identify children's and young people's SEN and to make provision to meet their needs. Once it has been decided that a child or young person is likely to have an SEN the setting should record this concern (on the SEN register or record) and make arrangements to meet the need. These children and young people will be designated as being at the **SEN Support stage** of the COP. Educational settings are delegated funding (£6000 per pupil) to support children and young people at the SEN Support stage. Settings should use this funding to draw up a Provision Map showing all the interventions and support made available to meet the identified SEN. Additionally, Looked After CYP are entitled to the Pupil Premium Plus Grant. This grant is not for the purpose of meeting children's SEN. This grant provides additionality for LAC.

In very rare circumstances (2.8% of the general population but 28% of Looked After population) the child or young person's SEN will be deemed to be so significant, severe, complex and long term that they need the support of an **Education Health and Care Plan**.

The most common type of SEN for LACYP is **Social Emotional and Mental Health (SEMH)** difficulties. These usually present as behavioural challenges. It can be difficult for educational settings to decide whether a pupil's behavioural difficulties mean that they have a Special Educational Need or not. The Code of Practice makes it clear that behavioural difficulties do not necessarily mean that the child has an SEN. Consideration needs to be given to whether the behaviour is associated with normal testing of boundaries, whether it is transient, or whether it is significant and persistent. It should be borne in mind that LACYP's experience of early developmental trauma makes them especially vulnerable to social, emotional and mental health difficulties and in most cases it might be argued that their behaviour is the result of this early trauma.

All Ealing schools have an attached Educational Psychologist (EP), whose role is to offer psychological advice to schools regarding pupils at both stages of the COP. The school EP works closely with the school's Special Educational Needs Coordinator (SENCO).

The Educational Psychology Service prioritises vulnerable groups such as LAC. If social workers are concerned about the progress of any child or young person in care they should ask if the child or young person has been discussed with the school EP. There is no need to wait until the PEP to ask this: the question can be asked at any time.

Ealing Virtual School (VS) for LAC also has an EP who can be consulted by social workers and the Virtual School teachers for advice about a child or young person's SEN. The Virtual School EP occasionally carries out assessment work; however, it must be noted that the child or young person is first and foremost entitled to a service from the attached school EP. The VS EP liaises closely with school EPs and may also be involved in delivering individual or small group interventions in schools.

Unfortunately, LACYP will often be subjected to changes of care and school placement; they are a very mobile group. This can make it difficult to be clear about where the responsibilities lie for assessing and meeting their SEN.

**Responsibility always lies** with the school or college where the child or young person attends and the **Local Authority (LA) where the child or young person resides**. The residing LA is responsible for responding to a school or college request for an assessment of Education, Health or Care needs (EHC Needs Assessment) or to a social worker's request for assessment. Ealing LA is responsible for funding the SEN provision identified by the residing LA.

**Flow charts are provided in this document for a variety of scenarios.**

**It should be noted that this document covers SEN arrangements for children and young people between the ages of 0 - 25 and where the document refers to 'school' this also means Early Years settings and colleges as well as alternative provisions.**

## SEN processes: Looked After Children & Young People

Relevant legislation and guidance:

- Children and Families Act 2014
- SEN Code of Practice 2014
- DfE Guidance on Looked After Children with SEN placed out – of – authority
- Regulation 7 of The Education (Areas to which Pupils and Students Belong) Regulations 1996 (the 'Belonging Regulations')
- Mental health and behaviour in schools DfE 2016.

### Definition of SEN

SEND Code of Practice 2014:

***'A child or young person has SEN if they have a learning difficulty or disability which calls for special educational provision to be made for him or her.'***

A child of compulsory school age or a young person has a learning difficulty or disability if he or she:

- Has a significantly greater difficulty in learning than the majority of others of the same age, or
- Has a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post 16 institutions ([SEND Code of Practice 2014](#))

### The responsibility of schools

All schools should have systems in place to assess and monitor the progress of all pupils. Where progress gives cause for concern it is the school's responsibility to provide additional support in order to enable the pupil to catch up. **At this stage the child does not necessarily have a special educational need.**

The Code of Practice tells us that:

***'High quality teaching that is differentiated and personalised will meet the individual needs of the majority of children and young people'.***

This means good classroom teaching, where account is taken of individual children's needs: their strengths, their weaknesses and the kind of support that might be provided to help the child make progress.

Examples of the kind of support we would expect schools to be able to provide at both a Universal (used with all children) and Targeted (used with some children who need extra help) are:

- Additional small group work to develop literacy or numerical skills such as Catch Up, Read Write Inc. and others
- Specific individual programmes of work based on identified needs
- Language support groups
- Support for personal, social and emotional development such as social skills groups, mentors or specific individual or small group programmes
- The provision of a key adult or key group of adults to support SEMH needs
- The provision of a 'safe base' within school where the CYP can be when feeling unable to manage.

It is the school's responsibility to identify pupils who do not make progress despite this additional support and high quality teaching; these pupils may have special educational needs.

Where a child or young person is Looked After, the school should engage the carer and social worker in discussion about possible SEN. The processes for identifying SEN are outlined in the following section.

**Top Tip:**

If you are concerned about a child's progress ask at the PEP about what interventions are being used to support the child or young person.

## Identifying children and young people with SEN

Some children and young people will continue to make inadequate progress despite the universal and targeted interventions that have been put in place and despite high quality teaching.

These children may have SEN.

### The SEND Code of Practice

The 2014 SEND Code of Practice identifies two SEN stages:

- SEN Support stage (school census category code K)
- Education Health and Care Plan (EHC Plan) stage (school census category code E)  
Previously known as a Statement (school census code S).

The Code of Practice states:

*‘All schools should have a clear approach to identifying and responding to SEN’*

***‘A pupil has SEN where their learning difficulty or disability calls for special educational provision, namely provision different from or additional to that normally available to pupils of the same age’.***

It is the responsibility of the class teacher to bring such pupils to the attention of the School’s Special Educational Needs Coordinator (SENCO) and together they should assess whether the child has SEN.

Their assessment will be based upon what is known so far about the child’s learning and the child’s response to the interventions that have already been put in place.

If it is decided that the child needs something over and above, or different to, what is normally provided then the school SENCO will formally document, in the school records, that the child has a Special Educational Need. The child will be placed on the School’s SEN register (or equivalent) under the category **‘SEN Support’**. The parent or carer (or social worker) will/should be informed (it would be expected that the parent/carer/social worker has been part of discussion about progress from an early stage).

#### **Top Tip:**

Social workers should contact the Virtual School if they believe the child is not making academic progress or if they are concerned about a child or young person’s social and emotional wellbeing or behaviour. The Virtual School teacher can advise regarding first steps.



**Top Tip:**

The social worker should expect to be informed when the child is placed on the school's SEN register or equivalent.

The social worker should ask at the PEP if the child is on the SEN register if concerns are being expressed about progress. **The SW should ensure accurate recording of SEN status on the PEP form.**

Once a pupil has been recorded as having SEN, the school SENCO will also record the type of need that the child or young person is presenting with as described below.

### SEN categories

The **SEND Code of Practice** outlines 4 broad areas of need as follows:

- **Communication and Interaction:** Includes those with speech and language difficulties as well as those with Autistic Spectrum Conditions
- **Cognition and Learning:** Children who learn at a slower pace than their peers, even with high quality teaching and appropriate differentiation of classwork as described earlier. These include children with both moderate and severe learning difficulties
- **Social, Emotional and Mental Health difficulties (SEMH):** These are children who experience social and emotional difficulties that may be manifested in many ways such as in challenging behaviour, depression or anxiety.
- **Sensory and/or Physical needs:** These are children who may have a disability such as a vision or hearing impairment.

**Note:** In the 2015 census, in the general population, Moderate Learning Difficulty (Cognition and Learning) was the most common type of need identified for children with SEN.

**By contrast, the most common need for LAC, in the 2015 SEN census, was social, emotional and mental health difficulties** (see page 15 & 16 for further discussion).



## SEN Support stage in schools

Once a decision has been made to place a child on the SEN register, the school SENCO should seek to put in place effective special educational provision and should seek to remove identified barriers to learning. Schools should use a '**provision map**' to show all the provision they have in place to support the child *'which is additional to or different from that which is offered through the school's curriculum'* (SEND Code of Practice July 2014)

All maintained schools have funding delegated to them by the Local Authority to meet the costs of the provision detailed on the Provision Map thereby supporting children who are on the SEN register. This means that the **majority of pupils who have Special Educational Needs can be supported using this delegated funding**.

The delegated funding per pupil is £6000.

In addition to this delegated funding LACYP will also benefit from the Pupil Premium Grant. This is separate from the school's SEN budget and is there to provide additionality for the Looked After Child or Young Person.

The Code of practice says that schools should use a **graduated approach** to help identify and plan for meeting a child or young person's needs. This graduated approach takes the form of a four part **Assess, Plan, Do, Review** cycle which allows for earlier decisions and actions to be revisited and reviewed.

### Assess, Plan, Do, Review cycle

This means that the teacher and SENCO should:

- Firstly **Assess** what the child or young person's special educational needs are
- Then **Plan** what needs to be put in place in order to help the child/YP make progress
- Then **Do** what has been decided and set a review date
- Finally **Review** how effective the support or intervention has been



Following the review, the cycle should start over again and be repeated until satisfactory progress is being made.

### Top Tip:

In PEP meetings, the social worker should:

- Ask what assessment by the SENCO has indicated the child or young person's needs to be
- Ask if a plan has been put in place for how to deliver an intervention
- Ask when it is happening and how often, and finally
- Ask if it is working (Has it been reviewed and what has the review shown?)
- This should be recorded on the PEP form.

In most cases this is all that is required and the child or young person will make progress at this level of **SEN Support**. At any point in this cycle the school may request more specialist assessment in order to help them identify the nature of the child or young person's needs and to support them to deliver the graduated response described above.

For example, the school might request assessment by their attached Educational Psychologist (see page 15) or the Speech and language therapist, or decide to refer elsewhere; for example to CAMHS. The school should then action the advice contained in reports from those professionals and carry out the same Assess, Plan, Do, Review cycle as before.

In a very small number of cases (2.8% nationally) a child or young person will need more support than the school can provide using their delegated funding. These are children or young people whose needs are **severe, complex and long term** and who have not responded to the support provided so far.

In this situation the school or parent might consider requesting a statutory assessment of the child or young person's Education, Health or Care needs (an EHC Needs Assessment). For information about EHC Needs Assessments and EHC Plans see the next section.

## SEN Support stage in schools – More Top Tips

### Top Tip:

Ask at the PEP if the child or young person has been discussed with the school's attached Educational Psychologist (EP) at their SEN planning meeting. The SEN planning meeting takes place termly and is where children with SEN are reviewed and new concerns are discussed with the school EP. Note that the Educational Psychology Service prioritises Looked After Children and other vulnerable groups.

### Top Tip:

The SW, as Corporate Parent, can request a statutory EHC Needs Assessment. This is usually best done via the school but can be done directly to the Local Authority. Discussion should first be held with the child's school and with the Virtual School teacher.

## Education Health and Care Plans (previously known as Statements)

It is expected that most children will make progress with creative and flexible support from their schools and colleges, following identification of their SEN, and regular monitoring through the Assess, Plan, Do, Review cycle.

However, as stated previously, in a very small number of cases, despite the best endeavours of the school or college, the child or young person will not have made the expected level of progress. These children and young people have needs that are **complex, severe and long term** and that require further assessment and support.

These are the children for whom a statutory assessment of their Education, Health and Care needs may be deemed appropriate. This is a multidisciplinary, comprehensive assessment, which should involve children, young people and their parents or carers in the decision making.

The assessment should highlight the child or young person's strengths and abilities as well as seek to identify and clarify their SEN.

The SEND Code of Practice advises that where a LACYP is being assessed for SEN at either SEN Support stage or at the EHC Plan stage, account should be taken of information in their Care Plan

### An EHC Needs Assessment may be requested by any of the following:

- The school, college or early years setting (in Ealing the education setting will be required to complete an **ERSA** (Ealing Request for Statutory Assessment) form
- The social worker
- The young person if over 16 years and under 25
- The parent or carer.

**Note 1:**

The request should be made to the Local Authority **where the child is living**.

If a child is living in Ealing it is made to Ealing; if placed out of Ealing then the request would go to the residing LA.

**Note 2:**

In a few cases the child or young person may be living in one Borough and attending school in a neighbouring Borough. The request always goes to the Borough **where the child is living**.

**Note 3:**

If an EHC Needs Assessment is agreed, the LA where the child resides should carry out that assessment. Ref: *The Education (Areas to which Pupils and Students Belong) Regulations 1996 and DfE Guidance on Looked After Children with Special Educational Needs placed out of authority*.

Following receipt of the request the residing LA has 6 weeks to decide whether the assessment is necessary. This decision is made by the LA SEND Panel which, in Ealing, meets weekly (on a Tuesday morning) at Carmelita House. The Panel looks for:

- Evidence of the severity of special educational need and of the child or young person's progress over time. There must be evidence of 2 cycles of Assess, Plan, Do, Review
- Evidence that the school has implemented recommendations made by other professionals who have assessed the child or young person
- Evidence that clearly demonstrates that, despite the school having used their delegated resources to support the child or young person, they are still experiencing significant barriers to learning.

If the assessment is agreed it must be completed within a maximum of 20 weeks from the date of the request. See [Appendix 1: Statutory timescales for ECH Needs Assessment and EHC Plan development](#).

If an EHC Plan is issued following the assessment, it will provide information on the child's needs and how the local authority plans to meet them. This often (but not always) involves providing additional funding to the school to support the child (i.e. additional to the £6000 they already have).

The Code makes clear that it is the child or young person's social worker (in close consultation with the Virtual School Head) who will ultimately make educational decisions on the child's behalf.

Only 2.8% of children or young people nationally are issued with an EHC Plan.

**However:**

There are 10x more LAC with EHC Plans than in the general population - 28% of Looked After Children and Young People have EHC Plans.

## Annual reviews of statements or EHC Plans

When a child or young person has a Statement of SEN or an EHC Plan, it must be reviewed annually by the Local Authority. The first review should take place within a year of the Plan having been finalised and then every year after that. The review considers the pupils progress and decides whether any changes need to be made to the Plan.

It is the responsibility of the school to call and hold the annual review. This means they must:

- Set a date for the meeting
- Invite key people to attend: The child or young person, the carer, the social worker, and any other relevant professionals such as the Virtual School teacher, the school EP, the Speech and Language therapist etc.
- Obtain the child's and carer's views, as well as those of the other people involved (especially social worker in the case of LAC) and distribute relevant reports
- Complete an Annual Review report which should be sent to the LA after the review meeting.

The Annual Review report and accompanying paperwork then goes to the SEN Assessment Service Annual Review Panel, where any necessary amendments to the Statement or Plan are agreed.

## Incidence of SEN in Looked After Children and Young People

The SEND Code of Practice indicates that around 70% of LAC will have some form of SEN (the latest Statistical First Release (SFR) LAC figures are slightly lower at 61%).

### LAC SEN census data 2015:

Population	% with SEN
LAC	61%
CIN	50%
All children	15%

The Code also tells us that a significant proportion will have an EHC Plan or Statement. The latest SFR data indicates that LACYP are 10x more likely to have an EHC Plan or Statement than other children (currently 28% compared with 2.8% of the population as a whole).

### LAC SEN census data 2015:

Population	% with EHC Plan or Statement
LAC	28%
CIN	22%
Population as a whole	2.8%

#### Top Tip:

It is important to be aware that it is likely that more than half of your LAC caseload will have some form of SEN and over a quarter will have an EHC Plan

#### Note:

Assessing the Special Educational Needs of Looked After Children can be complicated by the fact that they are often on the move and there can be confusion about who should be taking the lead and where professional responsibilities lie. This is dealt with from page 20 onwards

## Incidence of Social Emotional and Mental Health (SEMH) difficulties in LACYP

As stated previously, the **SEND Code of Practice** outlines 4 broad areas of need as follows:

- **Communication and Interaction**
- **Cognition and Learning**
- **Social, emotional and mental health difficulties**
- **Sensory and/or physical needs**

In the 2015 census, in the general population, Moderate Learning Difficulty (Cognition and Learning) was the most common type of need identified for children with SEN.

**By contrast, the most common need for LAC, in the 2015 SEN census, was social, emotional and mental health (SEMH) difficulties.**

### 2015 SEN Census:

LAC with EHC Plan for SEMH	38%
LAC at SEN Support for SEMH	45%

Often pupils with SEMH needs present with behavioural difficulties; however, it should be noted that behavioural difficulties do not necessarily mean that the pupil has a special educational need and it can be difficult for schools to decide whether or not a pupil with a behavioural difficulty should be brought to the attention of the school SENCO.

It is acknowledged in the document: ***Mental health and behaviour in schools DfE 2016*** that:

*‘...consistent disruptive or withdrawn behaviour can be an indication of an underlying problem, and where there are concerns about behaviour **there should be an assessment to determine whether there are any causal factors** such as undiagnosed learning difficulties, difficulties with speech or language or mental health issues’.*

Looked After Children’s experience of early developmental trauma makes them especially vulnerable to mental health difficulties and in most cases it might be hypothesised that their behaviour is the result of these early difficulties.

Whether or not the child has SEN should be discussed with the school SENCO and decided in accordance with the guidance in the [SEND code of practice](#).



**Top Tip:**

Be aware of concerns expressed by schools about children or young people's behaviour, especially those at risk of exclusion.

**Ask:** Is the child or young person on the SEN register? Has the child or young person been discussed with the school EP?

**Top Tip**

The revised PEP form (2017) has a scaling question about SEMH needs. This is being used to ensure that children's needs in this area are being picked up at an early stage and are regularly monitored. Scores of 7+ require further investigation.

**Ask:** Has the child or young person been discussed with the school EP?

## The school's attached Educational Psychologist (EP)

All Ealing schools have an attached EP, whose role is to offer psychological advice regarding pupils at all stages of the COP. The school EP works closely with SENCOs and other school staff to provide direct individual assessment and intervention strategies to pupils with special educational needs. The school EP attends the termly SEN Planning meetings referred to above.

The **Educational Psychology Service** prioritises work as follows:

1. Statutory work (as outlined in the Code of Practice)
2. Looked After Children and other vulnerable groups

Looked After Children in Ealing schools should have their needs assessed by the school SENCO and the school EP (or other professionals) in the same way as all other children as described.

Where a social worker is concerned about the progress of a Looked After Child or young person, the following **general guidelines** apply:

- The social worker should discuss concerns with the VS and the school's Designated Teacher (DT) for LAC
- It may be agreed that the DT should bring the child or young person to the attention of the school SENCO
- SW should ask if the child or YP is on the school's SEN register
- SW should ask if Assess, Plan, Do, Review cycle been carried out
- SW should ask if EP input is required
- SW should ask if the child or young person has been discussed at SEN Planning meetings.

### Top Tip:

LAC are entitled to a service from the school's attached EP and should be prioritised where there are waiting lists

## **The Virtual School Educational Psychologist (VS EP)**

Just as all Ealing schools have an attached EP so too does the Virtual School.

The VS EP liaises with other EPs regarding any concerns about LAC in their schools. The VS EP meets regularly with the VS team and holds half termly SEN Planning meetings with the VS teachers.

The VS EP is available for consultation sessions with teachers or social workers where there are concerns about a child or young person's progress or SEN. The aim of these sessions is to gain clarity about the child's needs, to identify any barriers to progress and to make a plan for how to move the child or young person on. The VS EP also maintains close contact with Ealing SEN Assessment Service (SENAS) Caseworkers where children have Statements or EHC Plans.

The VS EP may also, on occasion, be involved in carrying out individual assessment or delivering individual or small group interventions in schools.

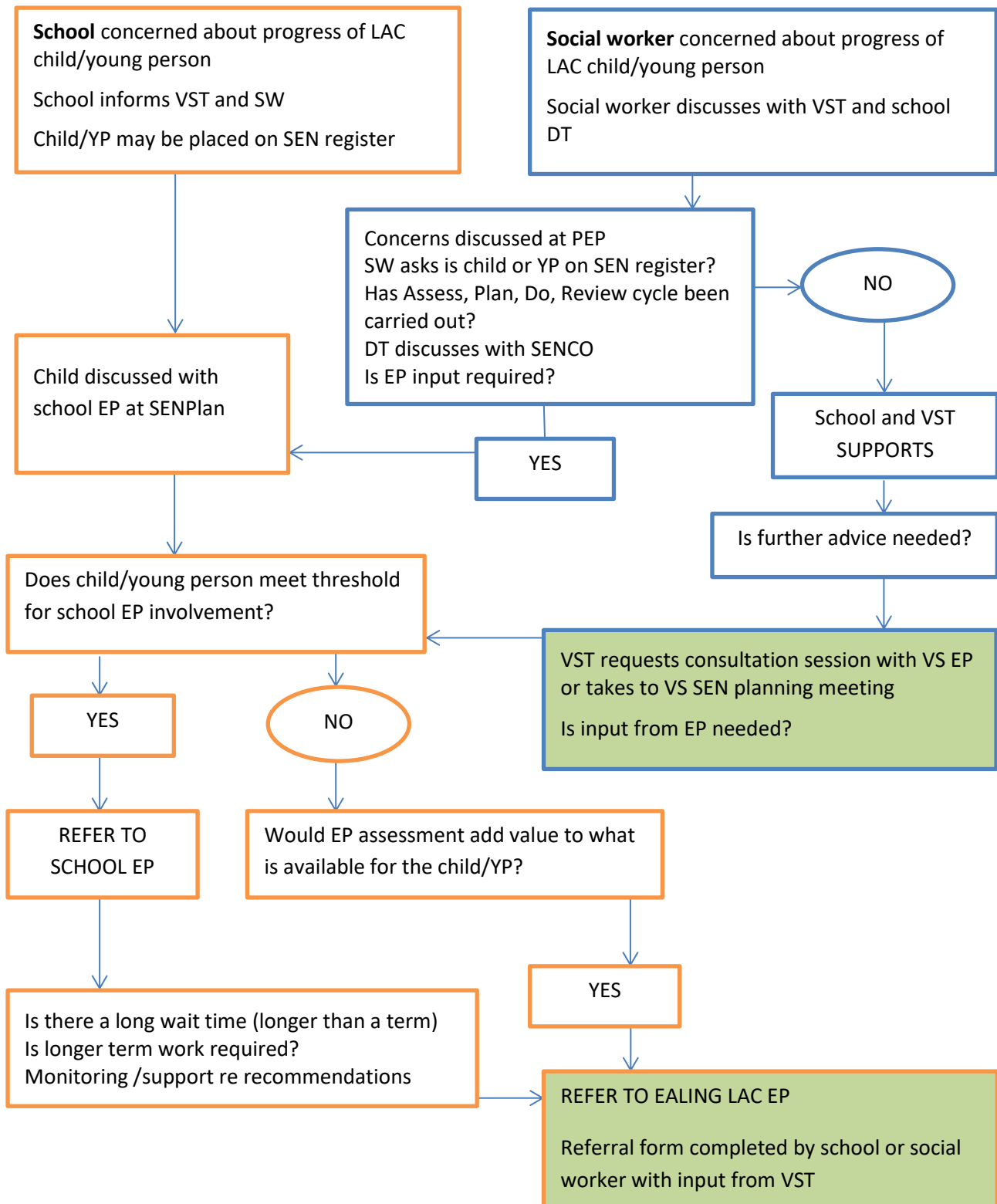
### **When should the school EP be consulted and when the VS EP?**

In some cases the VS EP may become involved with an individual child after discussion has taken place with the school EP. The following are examples of these situations:

- Where the situation is urgent and there is a long waiting list (more than a term) for the school EP. This may occur when there are a number of pieces of statutory work that must take priority
- Where a specific piece of work has been identified as benefiting the Looked After Child. This may be when individual work is required as part of an SEMH intervention for example, or a specific piece of work with the class teacher around how best to support a child who has experienced developmental trauma
- When longer term work is required that the school EP would not be able to carry out due to time constraints
- When the child or young person does not meet the threshold for the involvement of the school EP (decided at SEN Planning meetings) but EP assessment or involvement would add value to what is available for the child or young person.

See [Flow diagram 1 for how to access EP input](#).

## Flow diagram 1: LAC with possible SEN at school in Ealing: Referral for EP Assessment



## Assessing the Special Educational Needs of LAC & YP

**The following scenarios are explained in this section:**

- LAC or YP attending an out of borough (OOB) school undergoing EHC Needs Assessment (See general guiding principles page 21 and Flow diagram 2, page 22)
- LAC or YP with EHC Plan living OOB and attending an OOB school (see guiding principles, page 23)
- LAC or YP with an EHC Plan moving from one LA to another. This could include any of the following scenarios:
  - LAC moving from one OOB placement to another OOB placement  
See [general guiding principles](#) pages 23 & 24 and [Flow diagram 3](#) or
  - LAC moving back to Ealing from OOB [Flow diagram 4](#), or
  - LAC moving from Ealing to OOB placement, see [guiding principles](#) page 27 and [Flow diagram 5](#) page 28

## LACYP attending OOB School undergoing EHC Needs Assessment

Arrangements for assessing SEN can become confusing when a child is placed out of borough and attends an out of borough school.

### General Guiding Principles:

#### Where a child lives in another Local Authority and attends one of their schools:

- The school has responsibility for identifying SEN, using the *Assess, Plan, Do, Review* cycle described earlier in this document
- The child's progress, following assessment and intervention, is monitored by the school SENCO, the Designated Teacher, the SW and Ealing Virtual School
- The child or young person's school has responsibility for deciding to which external specialists they should refer and if they are concerned about a child they should bring to the attention of their own EP in the usual way
- The school SENCO should discuss the child with the school EP at SEN planning meetings
- **Agreement may be reached to request a statutory assessment of EHC needs, if the child or young person is not making progress**
- The school is responsible for making the request
- The request is made to the LA **where the child is living**
- If, following assessment, an EHC Plan is agreed, the residing LA is responsible for making all decisions regarding provision or how to meet the needs
- If an EHC Plan is agreed the residing LA is required to notify the home LA (Ealing) who will be financially responsible for provision and must therefore decide whether to fund what has been identified.

#### Top Tip:

The residing LA should discuss decisions with the social worker, in the same way as they would discuss with a parent. The social worker should liaise with Ealing Virtual School when decisions are being made.

#### See also:

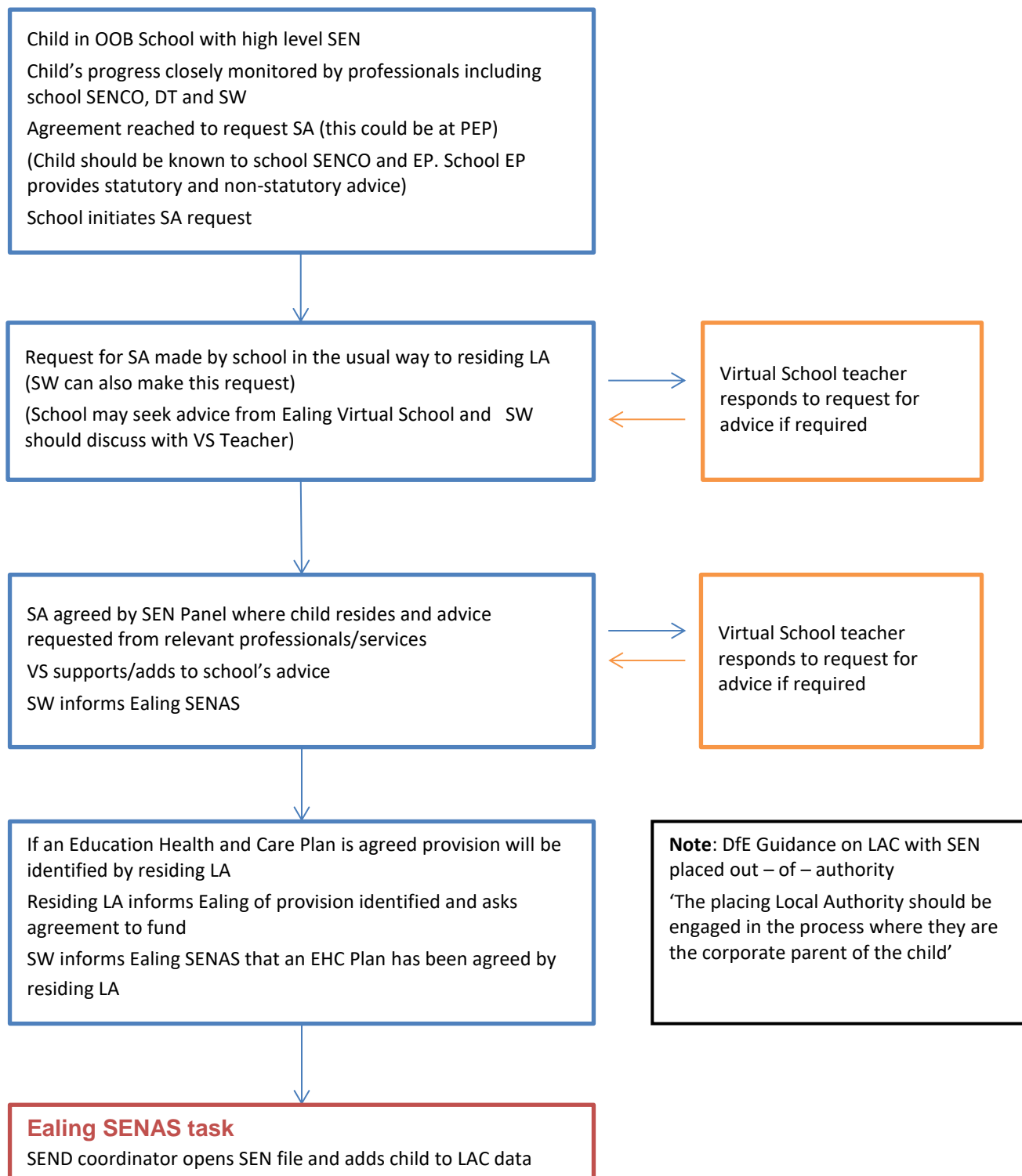
- DfE Guidance on LAC with SEN placed out – of – authority and
- [Flow Diagram 2 on the following page](#)

## Flow diagram 2: LACYP attending OOB School undergoing EHC Needs Assessment

LA where the child is placed, and is therefore 'ordinarily resident', has responsibility for organising and managing the assessment

### Social worker / School task

### Virtual school teacher task





## LACYP with EHC Plan living OOB and attending an OOB school - responsibilities

### Guiding Principles

- The school is responsible for meeting the child's needs in accordance with what is outlined in the Plan;
- The school is responsible for calling and organising the child's annual review;
- The social worker should be invited to attend the Annual Review;
- The school completes the Annual Review paperwork and sends it to their own Local Authority SEN department;
- The residing LA should forward Annual Review paperwork to Ealing SEN Assessment Service in order to keep them informed;
- Ealing LA is responsible for funding the provision in place to meet the child's SEN.

## LACYP with an EHC Plan moves from one OOB placement to another OOB placement (flow diagram 3) or from an OOB placement back to Ealing (flow diagram 4)

### Key factors for a successful move:

- Plan ahead if possible
- Involve the right professionals – key people are:
  - SW
  - VST
  - All LAs that are involved (i.e. the current residing LA, the new LA and the placing i.e. Ealing LA)
  - Previous school teachers, mainly SENCO and DT LAC
- Communication between local authorities is a key factor. Home (placing LA) and residing LA, or LA where child is moving to, should talk to each other
- All information about the child should be up to date. This may mean the new LA calling an early annual review to get an accurate picture of current needs
- SW liaising with VST. If, in discussion, SW has reason to believe needs are different SW should call a professionals meeting. This should be minuted and minutes forwarded to receiving LA
- It is the LA where the child is coming from that has the most up to date information about needs so it is imperative that discussions take place with representatives from that LA and that reports and records are transferred by the LA/school promptly.

**The key person** in these situations is the **social worker** who should keep all informed.

The SW has 5 tasks (see below and also [Flow diagram 3](#) and [Flow diagram 4](#)) that must be attended to as soon as a decision is made to move a child with an EHC Plan to another LA or back home.

These are:

- SW informs the SEN section of the new LA that the child is moving, the child has an EHC Plan and provision will need to be made
- SW contacts the departing LA SEN section and requests that they send the paperwork (EHC Plan and any supporting documents and reports) to the new LA
- SW informs Ealing SEN section via email so that Ealing is ready to hear from the new LA regarding the provision they will be required to fund
- SW ascertains the view of the child or young person about what they think they need from their educational provision
- SW informs the Virtual School of the move and of the child or young person's views.

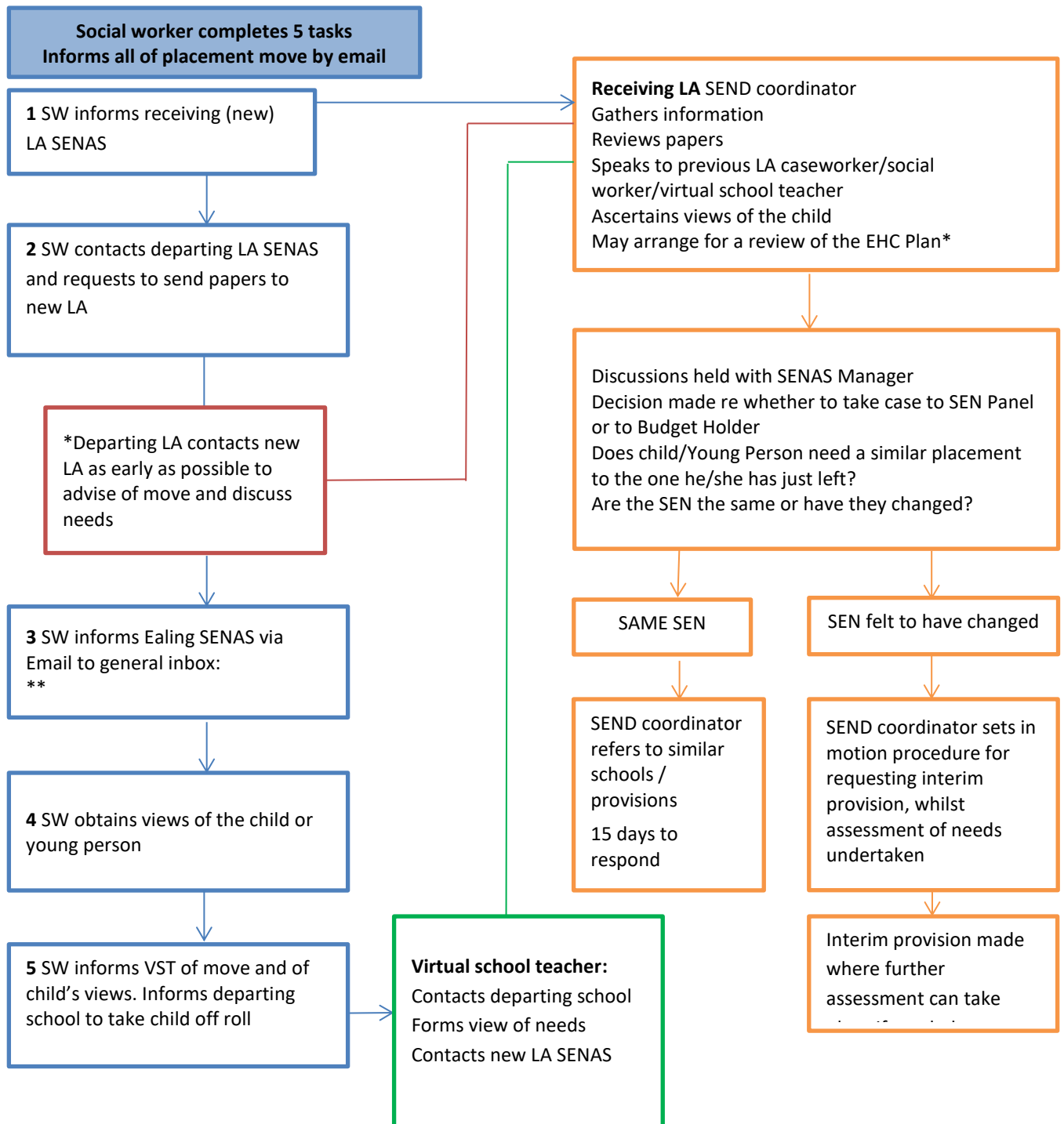
See flow diagrams 3 & 4 overleaf

### Flow diagram 3: LACYP with EHC Plan moves from one OOB placement to another OOB placement

**Key People: Social worker**

**Virtual School teacher**

**SENAS caseworker**



#### \*DfE Guidance

The receiving authority can consider bringing forward arrangements for a review of the EHC Plan.  
Good practice is that Local Authorities should always discuss moves of LAC with receiving LAs before a final decision is made as this is a good way to ensure such placements are made as smoothly as possible.  
If it is likely that the placement will be out of authority then early warning to the receiving authority would be useful.

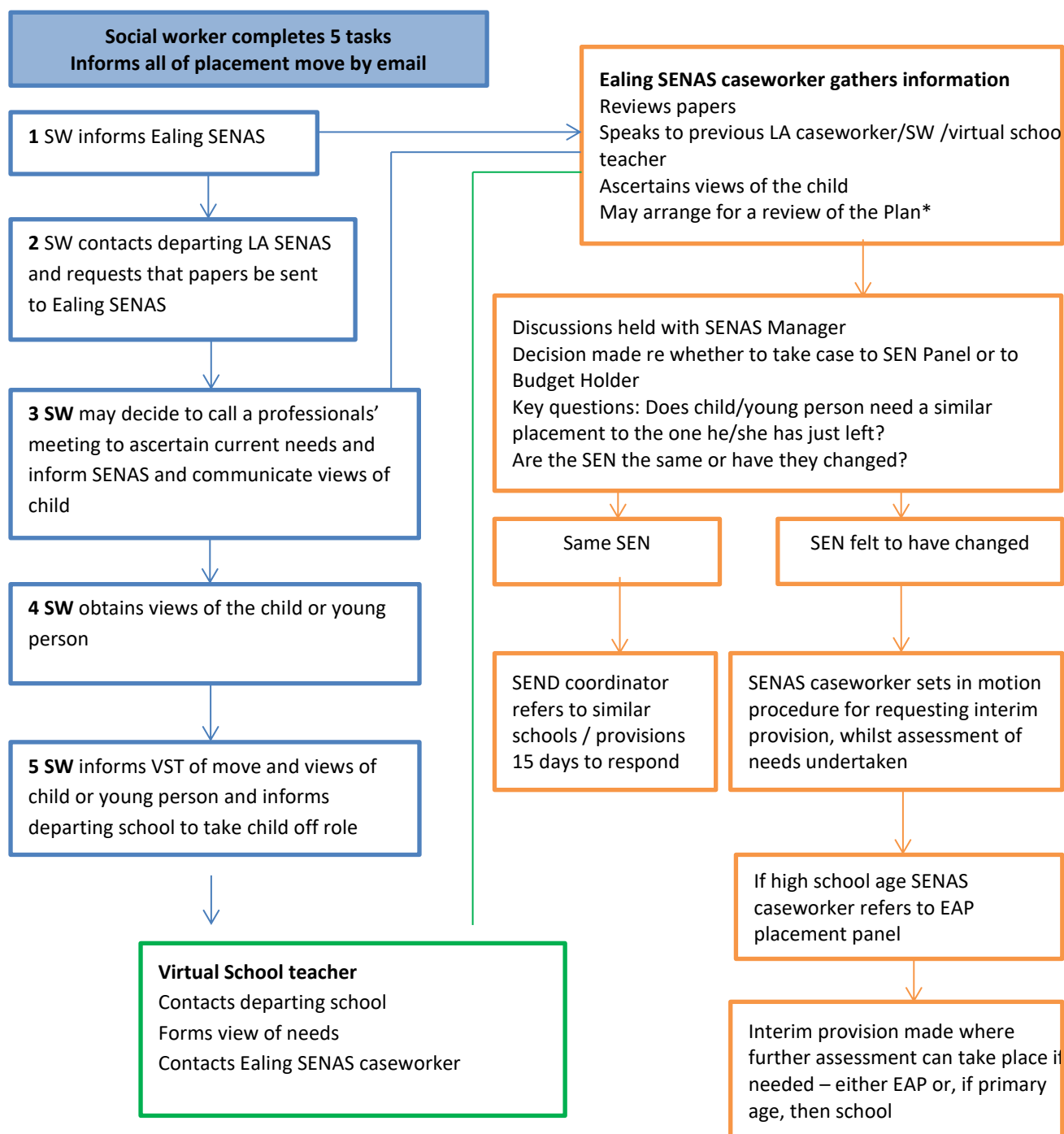
## Flow diagram 4: LACYP with EHC Plan returns to Ealing unexpectedly

(For example due to sudden placement breakdown)

Key People: Social worker

Virtual School teacher

SENAS caseworker



## When a child or young person with an EHC Plan leaves Ealing and is placed in another Local Authority

### General guiding principles:

- The placing authority (Ealing) has financial responsibility for meeting the requirements detailed on the EHC Plan and has little direct input otherwise
- The residing authority (where the child is now living) has responsibility for everything else, which includes:
  - Assuming responsibility for the EHC Plan
  - Finding suitable local provision both permanent and interim
  - Arranging and holding annual reviews
  - Updating/amending the child's EHC Plan as required
- However, the placing authority (Ealing) has a corporate parent duty to 'promote the educational achievement of the child'. ***'The placing authority should respond to decisions made regarding placement in the same way as a parent would if the child was not looked after.'*** (DfE Guidance)

The **key person** in this situation is again the **social worker** who should keep all informed.

There are 4 key tasks to be carried out:

- SW informs Ealing SEN caseworker and provides information regarding the move and the receiving LA
- SW informs the receiving LA SEN section and confirms that the Ealing SEN caseworker is aware of the move and will send on the EHC Plan as well as associated documents and reports. Social Worker may advise receiving LA of likely needs regarding provision
- SW obtains the views of the child or young person
- SW informs Virtual School of the move and of the views of the child.

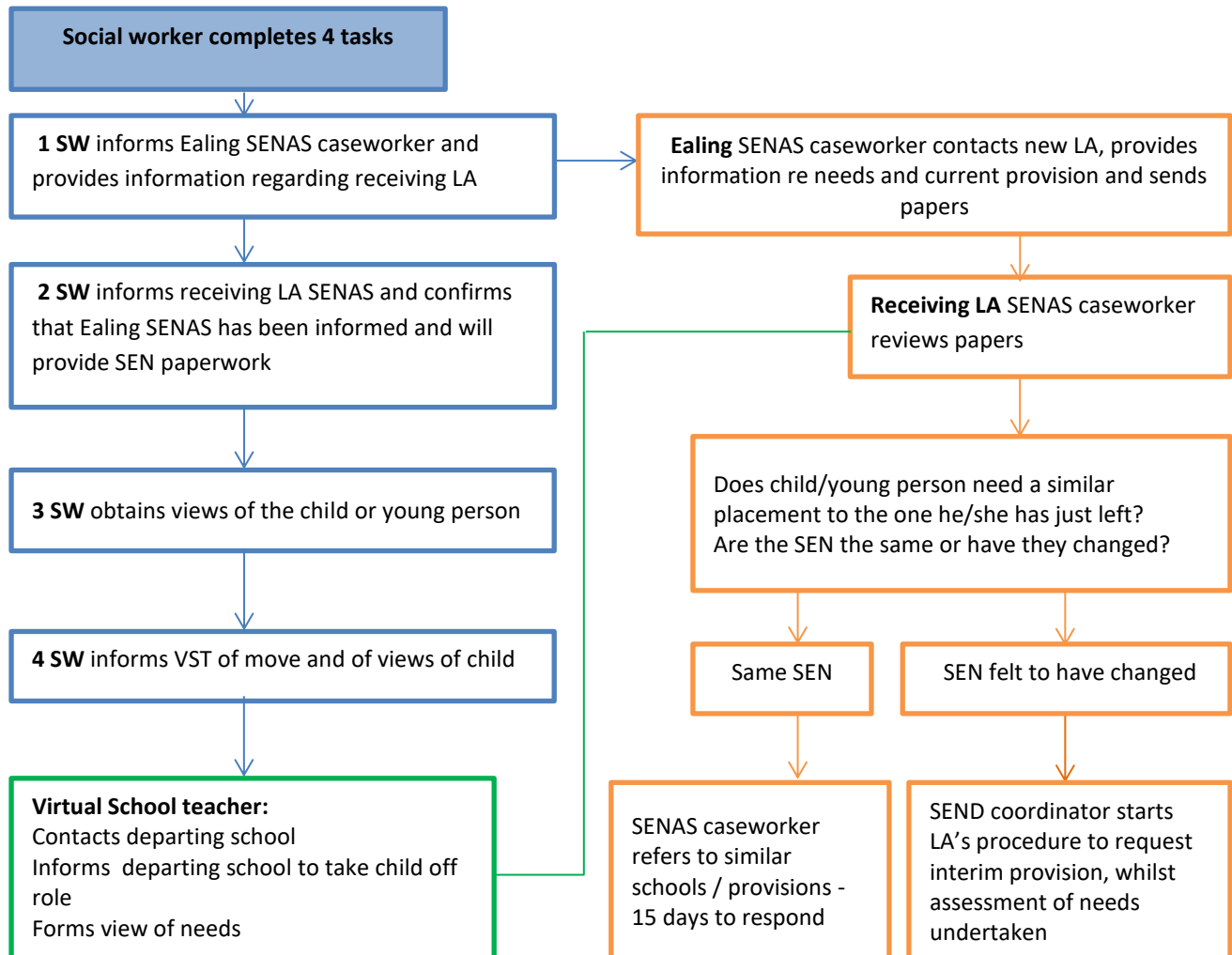
See [Flow diagram 5](#) which illustrates the activities to be undertaken by the SW and by others

## Flow diagram 5: LACYP with EHC Plan leaves Ealing and is placed in another LA

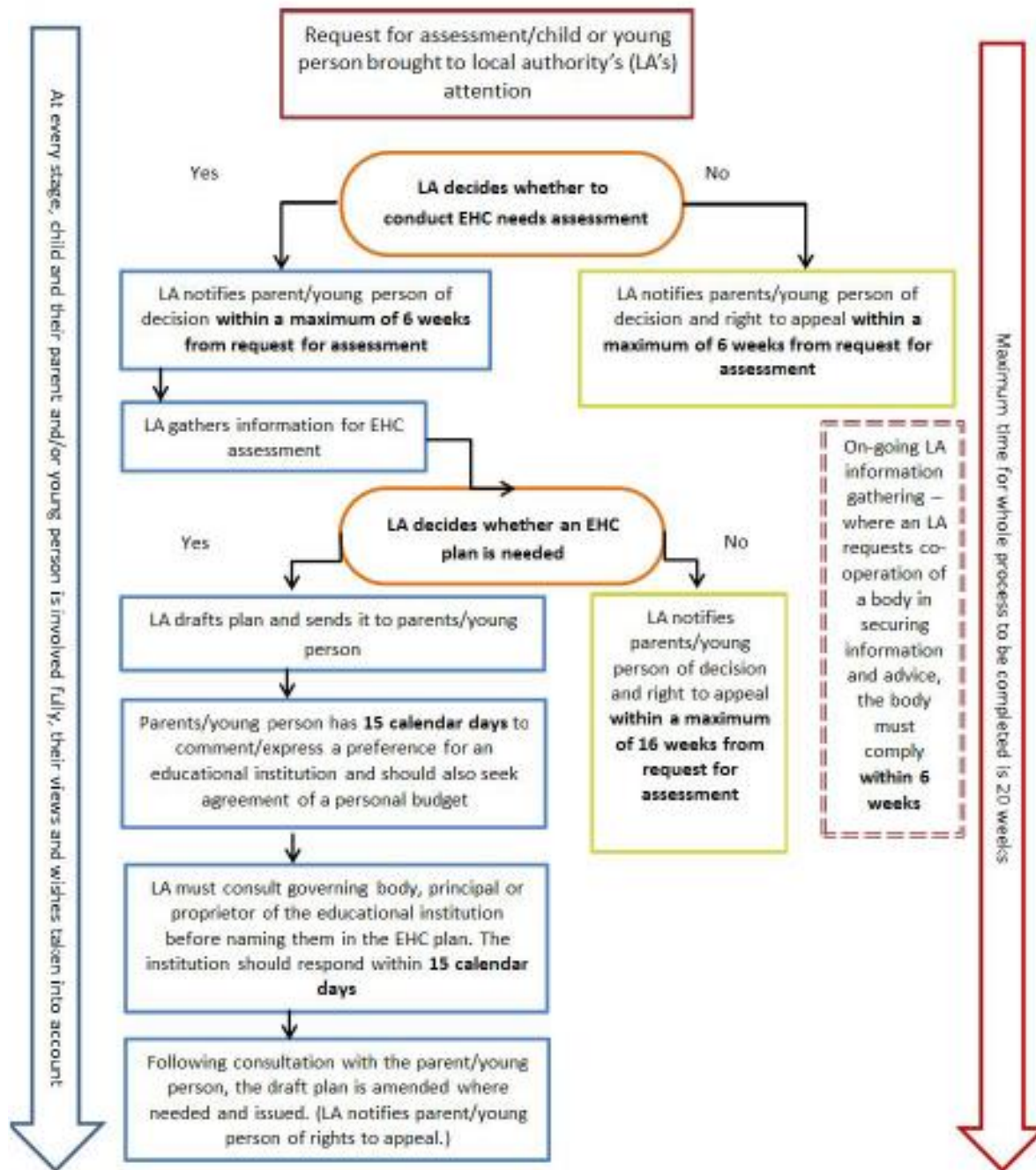
Key People: Social worker

Virtual School teacher

SENAS caseworker



## Appendix 1: Statutory timescales for EHC Needs Assessment and EHC Plan Development



Source: SEND code of practice, page 154



## Glossary

**Annual review:** the review of an EHC Plan which the LA must make as a minimum every 12 months

**Child and Adolescent Mental Health Services (CAMHS):** Services which assess and treat children and young people with serious emotional, behavioural and mental health difficulties

**Education Health and Care Plan (EHC Plan):** This is drawn up by the Local Authority where the child resides. It follows an EHC Needs Assessment. It details the education, health and social care support that should be provided to a child or young person who has SEN or a disability. Sometimes, even though an EHC Needs Assessment has been carried out, the LA may decide that a plan is not necessary to meet the needs identified; that the needs are not severe enough

**Designated teacher LAC:** This is a qualified senior teacher who has responsibility for promoting the educational achievement of looked after children who are registered pupils at the school. Every school is required to have one.

**Educational psychologist:** All schools have an allocated EP who works with the school SENCO to support children and families where there are concerns about a child's educational progress or wellbeing

**EAP:** Ealing Alternative Provision Service

**LA:** Local Authority

**Personal education plan (PEP):** This is part of a Looked After Child or Young Person's Care Plan. The PEP sets out the educational needs of the child, sets targets and monitors progress. A PEP meeting is held in the Autumn and Summer terms. The Spring term PEP is an electronic one. If a Looked After Child also has an EHC Plan then the Annual Review of that plan should, where possible, coincide with the PEP.

**SEMH:** Social Emotional and Mental Health difficulties

**SEND:** Special Educational Needs and Disabilities

**SEN plan:** Special Educational Needs planning meeting. The SEN planning meeting takes place termly and is where children with SEN are reviewed and new concerns are discussed with the school's Educational Psychologist

**Special Educational Needs (SEN):** A child or young person has special educational needs if they have a learning difficulty or disability which calls for special educational provision to be made for him or her. A child of compulsory school age or a young person has a learning difficulty or disability if he or she has a significantly greater difficulty in learning than the majority of others of the same age, or has a disability which prevents or hinders him or her from making use of educational facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post 16 institutions. (SEN Code of Practice 2014)

**SENAS: Special Educational Needs Assessment Service.** An administrative service within the local authority, based in Carmelita House, where all requests for assessment of a CYP SEN are referred and decisions made by the SEN Panel.

**Special Educational Needs Coordinator SENCO:** Every school is required to have one. This is a qualified teacher who has responsibility for coordinating SEN provision. Sometimes this person is also the Designated Teacher

**SFR:** Statistical First Release

**SW:** Social worker

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**School effectiveness**

