

The SEND reforms: what parent carers need to know and what they need to do

What is happening?

The Children and Families Act will change the way in which children and young people with Special Educational Needs and disabilities are supported at school and in the community. The Act will be implemented in stages starting in September 2014.

What is in the Act?

The Act responds to concerns parents carers have raised about the SEND system over the last few years. It includes some key principles to improve parent carers experiences. These include:

- **More Participation:** the Act includes new responsibilities on local authorities and others to make sure parent carers and young people are much more involved in decisions that affect their lives. It also makes clear that local authorities and health partners should work with parent carers and young people to improve services across their local area for example through the parent carer forums.
- **Better Outcomes:** the Act requires education, health and social care services to look at how they support children and young people in a way that improves progress and supports the outcomes they want and need in their lives.
- **Better joint working:** the Act requires services that families use, in particular education, health and social care to work more closely together and commission services together. This should improve the experiences of children, young people and their parent carers.

What does this mean in real life?

Education, Health and Care Plans will replace Statements of Special Educational Needs and Learning Disability Assessments (LDAs). From September 2014, no new statements or LDAs will be available. In stages, over the next few years, children with an existing statement will have their statement transferred to an Education, Health and Care Plan. There will be agreed procedures for the changeover and parent carers and young people will have a say in these. Existing rights, for example rights of appeal, will continue during the transfer.

Education, Health and Care Plans can continue to support young people up to the age of 25 if the Local authority considers that the young person needs more time to complete their education or training.

SEN support will replace School Action and School Action Plus. Schools will still be required to identify children who need additional support, involve parent carers and children and young people in planning how to meet these needs and call on specialists from outside the school when they need to.

Local offer from September 2014 every local authority will be required to have a "local offer" which informs parent carers and young people with SEN or disabilities what is provided in their local area, including what to expect from local early years providers, schools, colleges, health and social care. In addition it will include information on how decisions are made about how services are allocated, how to request a personal budget, how to access more specialist support and how to complain or appeal. Local authorities must involve parent carers, children and young people in developing their local offer.

Information and advice Local authorities already have to make information and advice available to parent carers about SEN, through parent partnership services. From September, local authorities must make information and advice available that also covers disability, health and social care and is also available directly to young people as well as parent carers - building on the services (like parent partnership services) they already have in place.

Families with children or young people going through a statutory assessment leading to an education, health and care plan may also be able to get help from an **Independent Supporter** – someone who doesn't work for the local authority who can help parents and carers, and young people, through the process.

Other changes there are lots of other changes, but these are some of the main ones. There are also things that are not changing, for example the disability discrimination duties in the Equality Act are the same as they were before the SEND reforms started.

How can I find out what early years providers, schools, colleges, social care and health should do?

A new SEND Code of Practice will be published. It will set out how decisions should be made for children and young people with Special Educational Needs or disabilities. This is statutory guidance and early years providers, all schools, colleges, local authorities and health partners **must** have regard to it when they decide what to do.

How can I get involved?

Parent carers can get involved in planning for these changes in their local area. Their local parent carer forum is involved in working strategically with the local authority and health partners. [You can find details of your local forum here](#). Parent carers can join their local parent carer forum and can make a real difference by sharing their ideas and thoughts. It is always up to you how you participate in your forum – it may be just by being a member, or you may want to get more actively involved and make sure those who are making decisions know what parent carers think. You can also talk to the SENCO at your child’s school or the person responsible for SEND support at your college and ask them what they are doing to prepare for these changes.

What can I do if I am worried about how this will affect my child?

If you are worried about your individual child, please contact your local Parent Partnership Service for advice and support. You can find details of your local Parent Partnership Service here: <http://www.parentpartnership.org.uk/>
You can also call the Contact a Family SEND freephone helpline 0808 808 3555 (9.30 – 5pm Mon-Fri) email: helpline@cafamily.org.uk

There is a range of “mythbusters” that have been produced to help clarify concerns parent carers may have, or have been told might result from the changes. You can find them here: <http://www.councilfordisabledchildren.org.uk/childrenandfamiliesbillmyths>

and at <http://www.councilfordisabledchildren.org.uk/childrenandfamiliesbillmyths-ehcps>

Parent Carer Forums have put a number of questions forward about the changes. [You can read these questions and the answers from the Department for Education here.](#)

When is this going to happen?

The law will start to change the arrangements in September 2014. Most local areas are making preparations and plans for this right now. It will take some time for local areas to make all of the changes that are required, so changes will take place over a number of years.

Glossary

SEN: special educational needs

SEND: special educational needs and disabilities

Children and Families Act: Part 3 includes new laws on SEN and disability, which will be brought into force from 1 September 2014.

SEN Code of Practice: this is statutory guidance for people and organisations who have duties towards children and young people with SEN. The current Code continues to apply until September 2014 and some parts of it will continue after that. A new Code will be issued in 2014 under Part 3 of the Children and Families Act.

Statutory guidance: where statutory guidance applies to someone, they cannot ignore it and they must have a good reason for doing something different from what the guidance tells them.

Parent Carer Forum: a Parent Carer Forum (PCF) is a group of parents and carers of disabled children who volunteer their time and work with local authorities, education, health and other providers to make sure the services they plan and deliver meet the needs of disabled children and families. In England there are parent carer forums in almost all local authority areas. You can find out more about Parent Carer Forums, and details of your local forums here.

www.cafamily.org.uk/parentcarerparticipation and www.nnpcf.org.uk

Parent Partnership Service: Parent Partnership Services (PPS) offer advice and support to parents and carers of children and young people with special educational needs. They are statutory services; this means there has to be one in every local authority. They are free, impartial and confidential services. You can find out more about PPSs here.

<http://www.parentpartnership.org.uk/>

School Action / School Action plus: under the current Code of Practice, schools support children with SEND, but no statement, at School Action or School Action Plus, depending on the level of support needed and whether specialist expertise is being provided from outside the school. Under the new Code of Practice, School Action or school Action Plus will be replaced with 'SEN support' and, in discussion with parents, schools will be expected to provide the right level of support and seek external advice whenever it is needed.

This document has been written collaboratively by [CDC](#), [Contact a Family](#), [NNPCF](#) and [NPPN](#)

