



FAQs - Frequently Asked questions – SEND

What is the government saying about whether children should be at home or at school?

- The most recent scientific advice on how to further limit the spread of COVID-19 is clear. **If children can stay safely at home, they should, to limit the chance of the virus spreading.**
- That is why **the government has asked parents to keep their children at home, wherever possible**, and asked schools to remain open only for those children who absolutely need to attend.
- Schools are, therefore, being asked to continue to **provide care** for a limited number of children - children who are vulnerable and children whose parents are critical to the Covid-19 response and cannot be safely cared for at home.

The schools are shut, but children with EHCPs should continue to go. Is that right?

The government announced that schools will shut their gates from Friday 20 March, and they will remain closed until further notice except for children of key workers and vulnerable children, which includes children with EHCPs. It doesn't include children with draft EHCPs or those who are undergoing assessment. **However, if children with EHCPs can be cared for at home during this time, they should be.**

The focus of schools now is providing care to support key workers to work and easing the pressure on families with vulnerable children. It is not about continuing education.

How will my child's school (special or mainstream) be able to look after my child with an EHCP if most of the children are staying at home, or if the teaching staff are unable to come in?

The Emergency Powers Bill currently going through Parliament will mean that schools and local authorities will only have to do what they reasonably can to meet their legal duties to your child. For example, the duty to make the provision in an EHC plan (section 42 of the Children and Families Act 2014) may be amended to a 'reasonable endeavours' duty. This means the LA needs to do whatever it reasonably can to put provision in place, but if they cannot do so they would not necessarily be breaching the law.

Your child's school will prioritise safety above all else, if they don't have enough staff, or need specialist advice they will contact the local authority, who will make every effort to support with their own workforce or by co-ordinating schools to cluster together and share resources. If they are really struggling to keep children safe, then they will talk to you about this. It may be that hours need to be reduced on a rota system, but rest assured we will all try to keep places at school for children who really need them.



I don't want my child with an EHCP to go to school. Do they have to?

No. You have the right to make the decision that you do not want to send your child.

Special schools, colleges and local authorities are advised to make case by case basis assessments of the health and safeguarding considerations of pupils and students on an education, health and care (EHC) plan. For some, they will be safer in an education provision. For others, they will be safer at home.

For more details see: <https://www.gov.uk/government/publications/closure-of-educational-settings-information-for-parents-and-carers/closure-of-educational-settings-information-for-parents-and-carers>.

Can my child's school insist the child has to go to a different school?

No, we would suggest that you work in partnership with the school and share that your preference is for your child to remain at the school.

Is my child entitled to free school transport?

An application will be completed and sent to the transport panel for consideration, and you will be informed of the decision – this will be assessed case by case.

Will the statutory process for EHCP be completed in 20 weeks?

Our Multi-agency EHC panels are still going ahead virtually and we are progressing the initiations for statutory assessments with a view to remaining within the recommended timescales; however due to the :

Notice from the Secretary of State for Education issued under the Coronavirus Act 2020 to modify section 42 of the Children and Families Act 2014

Cases in progress on 1 May 2020, If consideration of a request for an EHC needs assessment or one of the processes that may follow is in progress on that date, then the relevant exception to the timings could apply if coronavirus (COVID-19) had caused delay.

Parents and carers will be updated re progress of the assessment at every stage.

Are EHCP annual reviews still being held?

Yes, in line with government guidelines schools and colleges are being encouraged to carry out Annual reviews in a virtual way, we have sent out guidance to SENCO's in order to give examples on how to do this.



I've got a child with additional needs who is on SEN Support, do they get to stay at school?

No, the government's announcement only included ongoing school provision for children of keyworker staff and vulnerable children. Their definition of vulnerable currently only includes those who have a social worker and those with Education, Health and Care Plan (EHCP). So, if your child on SEN Support has a social worker you will probably qualify, but otherwise no, your child should stay at home.

My child has an EHCP but is in a private, independent, non-maintained school or nursery. Do they need to enable them to still attend?

Yes, nurseries, private schools, sixth forms and FE Colleges should also follow this guidance. Again, there is a lot of detail for them to work through about how to implement an offer to these children in practice. The government has said they will provide financial support for these settings as required. However, in the spirit of trying to reduce the spread of the virus, where at all possible children with EHCPs that can be cared for at home should be.

Can I request an EHCP for my child now?

Yes. However, given the prioritisation given to urgent health and care support related to Coronavirus, we are very unlikely to receive the advice and information we need to assess children's needs in a timely way to complete the statutory assessment within the 20 weeks. At this stage we can't estimate how long writing plans would take us.

Do we know how long schools will close for?

No not yet, the government's announcement just says, 'until further notice'. The Scottish government has been clearer and have said their schools will be closed until August, but we don't know until there is a Government announcement.

I'm worried I won't be able to cope if schools are shut for a long time. Who should I call?

Nobody knows how this situation will play out and how long schools will be shut. If you are worried about how you will support your child at home, then please talk to your child's school in the first instance.

<https://www.kooth.com/> offers online support for young people's mental health.

Our Educational Psychologists are on hand to offer support and guidance to schools and parents where there are concerns around mental health issues and they will be able to support and guide you to the right services. Please contact your lead for mental health in your school or college via the main school/college number.

If you are receiving support from social care, please discuss concerns with your social worker but also try to establish networks of support with other parents as appropriate.



Our family hub is also available to support families with children from 0-5

We are still here, and we are available to support you and your children (0-5 years) during the Covid-19 (Coronavirus) pandemic. Someone will be available for advice and guidance,

**Monday to Friday,
between 1pm – 3pm.**

Call or email the team to request a call back. A member of our team will call you back as soon as possible.

Call us on:

Greater Eston Area - 07500606851

East Cleveland Area - 07966232823

Redcar Area - 07970371685 -

Or email us at:

contactusfamilyhub@redcar-cleveland.gov.uk

My child receives home tuition/tuition off site due to their medical needs- will this continue?

The medical education service has contacted all families affected by this, and we will agree an individual plan for support together. This is likely to mirror the offer made by schools, namely that if your child can be supported by you at home then they should be, in order to reduce the risk of them/you catching the virus. Continuing home tuition is risky as the tutors would be visiting many different children in a day. We will also mirror the schools' offer by providing packs of resources and guidance to help you continue their education at home. We will also offer you catch up contact, either by phone or Skype, and let you know who to contact for support if needed. Tuition by virtual means is also be available, depending on the needs of your child.

This will also apply to those children with EHCPs registered as receiving EOTAS.

My child's EHCP states that he will receive 6 weekly SALT intervention in school by a therapist; we know this is legal requirement, but he is not receiving any input what can we expect to be put in place?

Face to face therapies are no longer taking place due to social distancing measures, however therapists can be contacted to decide to carry out sessions where appropriate by virtual means. The temporary amendments to the SEN code of practice identifies:

A notice from the Secretary of State for Education issued under the Coronavirus Act 2020 to modify section 42 of the Children and Families Act 2014

The LA and health are still responsible and must use 'reasonable endeavours' to secure the provision in an EHCP, this duty can be discharged as long as the LA has made these 'reasonable endeavours' to seek provision



I have an appeal in progress to the SEND Tribunal. How will this be affected?

Face to face Tribunal hearings have stopped, but the Tribunal will agree with you to hold the hearing on paper, by phone or by video conference. Tribunal staff will contact you. You should only call them if you have not heard at least two days before your hearing date.

The Tribunal service statement on 19 March 2020 says: "Decisions about the education of children and young people are vitally important and the Tribunal is making every effort to conclude as many appeals and claims as possible. The Tribunal are already aware of parents, young people, local authority representatives and witnesses who are self-isolating and social distancing, putting pressure on all services at this unprecedented time. Following today's announcement from the Senior President of Tribunals, all hearings in the First-tier Tribunal Special Educational Needs and Disability will move away from face to face hearings and make use of the technology available.

From Monday 23 March 2020, the Tribunal will use technology to enable hearings to proceed for the duration of the COVID-19 pandemic. Hearings will be on paper or by telephone and where possible video, where the technology permits. The arrangements for your hearing will be confirmed at least 2 days before the date on which your hearing is listed, and it would assist if you could check whether you are able to access telephone and internet services either in your home or locally. You will not be required to travel to the hearing venue if you have either telephone or internet video facilities. If parties do not have a reliable telephone or internet service available in their homes, it may be possible to arrange to use the IT equipment or telephones at your nearest Courts and Tribunals hearing venue. There is no need to contact the Tribunal to obtain the details as the administrative team are working to issue those details to you in time for your hearing.

Please do not contact the Tribunal helpline because at present, the Tribunal's own resources are reduced due to self-isolation and social distancing and it is at the point two days before your hearing, if you haven't received correspondence from the Tribunal that you should contact the office at send@justice.gov.uk"

Transitions

What is happening regarding transition for year 6 and nursery to Reception?

The Government have not currently given any direction on how they wish to proceed regarding transitions. Be assured that we are talking to our schools and colleges to ensure that there is a seamless transition for pupils into Reception, Year 7 and in to post 16.

Will my child with SEN be known to their new secondary school?

How will a secondary know my child's needs if they don't go back in September?

Yes – we have developed a transition plan for our vulnerable learners which has been filled in by the Primary schools and the Secondary schools have also filled out the latter part. They are having discussions regarding support and what will need to be in place post Covid.



We have also identified our most at risk cohort of children transitioning and the LA will prioritise liaison with the feeder schools during the first 2 weeks of transition.

My child has sensory issues regarding uniform, how will this be supported in secondary?

Our EP service is working on transitions with the schools and will provide advice on how to support specific needs. Our senco mentors and specialist teaching service are also available to provide guidance and support.

Will my child be able to access work in secondary and they have missed such a large part of Y6 with their provision? / Will they be at more of a disadvantage going into secondary school without a summer term?

All schools and colleges will have to review their curriculum to consider that children and young people may have had a gap in their education whilst being at home. Therefore, assessments will be made, and work planned accordingly for every child, regardless at what point we are directed by the government to return to school.

How will my child know about how to access transport to school, lunches, changes in the school day if there is no transition week?

We are in discussions with our schools and colleges for them to put in preparation for transition. Some colleges and schools are working on virtual tours, accessing planners, contacting virtually in preparation for coming back to school. We are encouraging schools and

My child is due to start a special school, will that still go ahead?

Any planned new starters into special schools will be put on hold at the current time. With reduced staffing and higher staff / pupil ratios, we will not be able to transition children into new provision successfully and we also want to reduce the number of children moving between sites. New start dates will be given when schools officially re-open. Be assured that plans are being made for your child to have a supported transition into their new school and you will be kept informed .

Any other questions: Please contact SEN team: (01642) 304510