

# The Children & Families Act 2014

## The Special Educational Needs and Disability Reforms

### What you need to know

#### What are the reforms?

The Children & Families Act introduces the biggest changes to the Special Educational Needs and Disability (SEND) system for 30 years for Local Authorities, NHS and Schools. The new system will start from 1 September 2014. The Government have given Local Authorities 2-3 years to implement the changes and so for most families, for the time being, things will carry on as they are.

The aim of the new reforms is to put children, young people and their families at the heart of the system, this is known as “person centred”, and gives greater choice and control. Professionals will be expected to work with, and listen to families about the things that are important to them in order to help them achieve their aspirations. There will be significantly more emphasis on the importance of the views of children, young people and their parents in any decision-making.

The main changes to affect families are:

- Replacing Statements of Special Educational Need with the new statutory Education, Health & Care Plans (EHCP) from September 2014
- A new SEN Code of Practice
- Personal Budgets
- The Local Offer

**The most important thing to remember is that there is really is no need to worry about these changes. Things will not suddenly change on 1st September 2014.**

#### What does person-centred mean?

Person-centered means a way for school staff and other professionals to get to know your child/young person and find out what is important to them and how best to support them achieve their outcomes. This approach should ensure that parents, children and young people are genuinely involved in all aspects of the SEN process.

#### What is an outcome?

An outcome is what the child/young person would like to achieve now and in the future. The Oxford English Dictionary definition says:

“The way a thing turns out; a consequence **or an end result...**”

For example an outcome might be, to be independent, be healthy, or to gain paid employment.



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## Will my child's Statement be taken away?

For any child with an existing Statement, this will remain in place and they will continue to receive the support identified in their Statement. At some point in the next 2-3 years it is likely that your child's statement will be replaced with an Education, Health & Care Plan (EHCP) as part of the annual review process. The EHCP is also a statutory document.

## What is an Education, Health & Care Plan (EHCP)?

An EHCP is a statutory document and will replace the Statement of Special Educational Needs and the Learning Difficulties Assessment (post 16). Children and young people will transfer to a EHCP over the next 2 -3 years. It is likely this will happen at their annual review. An EHCP covers the child/young person from birth to 25 years if the young person remains in education or training. However, in Enfield it is unlikely that EHCPs will be issued for babies and pre-school children as there are excellent services and support available to them without the need for an EHCP. An EHCP looks at the education, health and care needs of a child/young person and focusses on outcomes. It will look at services and support to help the child/young person achieve their outcomes, and will be an opportunity to think more creatively about support.

Children/young people and their parents will be at the start of the EHCP process helping to plan and look at how to meet their needs.

We have piloted the EHCP with 13 families in Enfield.

## What is the Local Offer?

The Local Offer will be available in printed format and on-line. It brings together in one place, information about Education, NHS, Social Care, Voluntary Sector and other support available for families with a child/young person with SEND. It will provide information about services, how to access them, waiting times and be a useful source of information whether your child has an EHCP or not. Schools will also need to publish their SEN Information Report to explain the support they can provide.



# Myth Buster

There are a lot of “myths” about the SEND Reforms. This Myth Buster is to help families, early year’s providers, schools and colleges to better understand the reforms.

## 1. Parents/Young people have the right to ask for a Personal Budget.

- **Yes.** However, a personal budget can only be requested if the child/young person has an Education, Health and Care Plan (EHCP).
- It is optional.
- Information to explain whether you can have a Personal Budget will be included in the Local Offer published on the 1st September 2014.
- Funding can come from one of four areas, Education, Health, Social Care and the school/college.
- Most budgets, including the schools budget are tied up in contracts. Therefore in the short term, there will be limited funding to support Personal Budgets.
- A personal budget should be provided to support the child’s outcomes as identified in the EHCP and will be monitored and reviewed.

## 2. There’s additional money for Personal Budgets.

- **No.** There is no additional funding for personal budgets.

## 3. Children’s Statements will automatically convert to an EHCP in September.

- **No.** Do not assume that all children’s Statements will automatically convert to an EHCP. However, as is normally the case, children’s needs will be reviewed and assessed and most children’s Statements will change to an EHCP.
- The Local Authority will publish a timetable in September 2014 explaining which year groups will be prioritised to be received and move across to an EHCP.

## 4. If I am new into the system and I have an assessment, my child will automatically receive an EHCP.

- **No.** An assessment does not automatically mean that the Local Authority will issue a Plan.
- As with the current process, an assessment can be made and a decision is then based on consideration of the extent of the special educational needs and outcomes identified.

## 5. Everything will change on the 1st September.

- **No.** There will be no dramatic change from the 1st September 2014.
- Although the Reforms are wide-ranging, the transition period will be over 3½ years.

## 6. The Reforms are finance led.

- **No.** This is not about cost cutting but is about focussing on what the young person wants to achieve in life.

## 7. The Local Authority, NHS and Schools will have more money to support children and young people with SEND.

- **No.** There is no additional money to support children with SEND. This is about a change of approach and culture which puts families at the heart of the system.
- The new system allows parents and professionals to think more creatively about their allocated resources.

## 8. Explaining the SEND Reforms is the responsibility of the Local Authority.

- **No.** It is everyone's responsibility to communicate the SEND agenda.
- The Local Authority, NHS, Early Years Providers, Schools, Colleges and the Voluntary Sector must ensure they inform staff, governors, families and young people and keep everyone up-to-date with progress.
- It is the responsibility of Headteachers to make sure that their teaching team and parents/carers, children & young people with SEND are kept informed about the SEND reforms and the way the school will implement these. This will be in line with the Local Authority's plan to move Statements to EHCPs .

## 9. My opinion is more important than anyone else's.

- **No.** Everybody's opinions and views are important and must be considered when plans are being made to meet the needs of children and young people with SEND.

## 10. A child with an EHCP has an automatic right to transport.

- **No.** Not every child with an EHCP will be eligible for transport to and from school. As has always been the case, they will need to meet the eligibility criteria for the provision of transport to and from school.
- Transport eligibility criteria will be in the Local Offer published on 1st September 2014.

### For more information contact:

#### Your School

Speak to the SENCo or Inclusion Manager at your school. They should be able to provide you with more information.

#### Enfield Parent Partnership Service

Offers free, independent, confidential and impartial information, advice and support to parents and carers of children/young people with special educational needs.

Tel: 020 8373 2700

Email: [prafula.katkoria@enfieldparents.org.uk](mailto:prafula.katkoria@enfieldparents.org.uk)

#### Our Voice

A parent-led voluntary organisation working with parents and carers, as well as the statutory and voluntary sectors. They aim to improve services for children and young people with disabilities or special educational needs in the borough of Enfield. Our Voice will be able to provide you with further information and advice.

Tel: 07516 662315

Email: [info@ourvoiceenfield.org.uk](mailto:info@ourvoiceenfield.org.uk)

#### SEN Services

Tel: 020 8379 3203/3441

Email: [sen@enfield.gov.uk](mailto:sen@enfield.gov.uk)

#### Joint Service for Disabled Children

Tel: 020 8363 4047

Email: [cheviots@enfield.gov.uk](mailto:cheviots@enfield.gov.uk)

