

Shropshire response to changes in legislation;

On Friday 1st May 2020, temporary legislation came into effect surrounding SEND duties. The announcement coincided with a joint letter which was published by the Department of Health and Social Care and the Department for Education to be shared with all families of children and young people with SEND. The letter, which you should have received from your setting, can be accessed on the [Shropshire SEN Local Offer](#) and includes a link to the full report.

There are 2 main changes to 'SEND' duties;

Change 1—a new exemption to the 20 week Education Health and Care Needs Assessment timescale will be permitted due to issues relating to Coronavirus.

The Shropshire SEN Team continue to accept and process requests for an Education Health and Care Needs Assessment and endeavour to complete these within the usual, 20 week, timeframe. However, the new exemption acknowledges that in a small number of circumstances it may not be possible to complete some assessments or collect required evidence, due to the impact of Coronavirus on the availability of staff and advice givers. This will mean some EHC assessment requests will not be completed within 20 weeks. Where this is the case we will write to parents and settings to let them know. Where it has been necessary to apply an 'exemption' we will try and complete the process as quickly as possible.

As far as possible in Shropshire, we will still attempt to deliver all assessments within the 20 week timescale. All professionals who give advice have been asked by the DfE to use creative ways in which to provide their information so that assessments continue to be made and EHC plans issued in a timely manner. Deciding which EHC assessments will be exempt from the 20 week timescale will be made on a case by case basis.

Change 2— the duty to secure or arrange special educational provision and health care provision in EHC plans is temporarily modified to a duty to use 'reasonable endeavours' to do so.

Children with an EHCP have been recognised as requiring additional provision and intervention to support them with their learning. During the current situation, education and learning looks very different from what we would normally expect. The guidance acknowledges that the provision identified in an EHCP is likely to be different and will need to consider individual circumstances. The expectation is that education settings must use '**reasonable endeavours**' to consider what needs to be delivered for a child with an EHC plan during this period. For the majority this is likely to mean that provision will be different to that which is set out in their EHC plan because of the impact of Coronavirus restrictions.

Reasonable endeavours will need to consider individual circumstances, this is likely to include availability of staff and skills, temporary closures of education settings, guidance on measures to reduce the transmission of coronavirus, the extent home learning programmes can be made available and the availability of suitable IT equipment in the home.

Examples of alternative arrangements may include;

- Alterations to the frequency and timing of delivery of provision in school.
- Video class sessions for children to keep in touch with classmates and teaching staff.
- Home learning reading programme, provided by the school SENCo or class teacher, reviewed weekly.
- EPs providing therapy interventions, this may be online, via a video link or using pre-prepared materials/worksheets.

- SALT/OT input via video link
- Specialist teacher input e.g. visual/hearing impaired (SIS) or specific language impairment (SSLIC) through online or pre-prepared materials or via a video/audio link
- 1:1 'on-line' learning sessions.
- Differentiated worksheets with access to 'personal support'

The majority of provision in children's EHC plans is delivered through educational settings. In Shropshire we know that many early years providers, schools and colleges are supporting families to deliver home learning programmes and are 'checking in' with families. We are aware that SENCos are keeping oversight of children both with an EHC plan and at SEN support to make sure home learning is accessible.

Children with an EHCP have been identified as one of the key groups who should have priority to places in school during COVID19. The local authority will support parents in accessing this entitlement.

If your child usually goes to school but is currently at home, their school should be working to provide them with work and giving them feedback in a format that meets their needs.

If you would like to discuss the provision that your child is receiving you should, in the first instance, contact your child's teacher or SENCo.

Other SEND Updates:

There is an expectation that **annual reviews** will continue to take place when due. There have been many positive reports of annual reviews that have been undertaken over recent weeks using a range of 'on-line' platforms and conference calls.

For children at SEN support we would expect schools to work alongside parents/carers and use reasonable endeavours to deliver an education provision that is supportive and appropriate to the individual circumstances. Settings continue to receive Graduated Support Pathway 'top-up' funding for all identified children. All GSP allocations which were due for review during the 'lockdown' period have been continued until further notice; none will be ceased. However, we have requested that schools don't submit new GSP requests at present. We will review this shortly so that we can support settings to plan for transitions and the new academic year.

Transition:

The SEN Team is working alongside education providers to identify children and young people who are due to change settings at the end of this academic year and who will need additional support to make a positive transition. We recognise that the impact of Coronavirus is likely to add further to the anxiety for some children and that a carefully considered transition plan will be essential to promoting a positive move to a new setting. We are working with partner agencies to consider strategies and resources to support individuals. Contact your school and discuss with the SENCo if your son/daughter is likely to need additional support to make a successful transition.

Return to school:

Following the Government's announcement on Sunday 10th May, the local authority and local school leaders are discussing what steps can be taken to enable schools to open safely for more children. We are aware that many parent carers have understandable concerns about the possibility of their child returning to school and we are committed to working in partnership with parent carers during these difficult times.

Government guidance is strongly encouraging children and young people in eligible year groups and priority groups to return to school; however the guidance is clear that parents will not be fined for non-attendance at this time. To read this guidance in full visit <https://www.gov.uk/government/publications/closure-of-educational-settings-information-for-parents-and-carers/reopening-schools-and-other-educational-settings-from-1-june?fbclid=IwAR3kJ1Wt3GCdW4Mk1FJe0FxVBBod9OcTKItVSz6e6lzv-lyXjJU7eX5Ulh8#if-my-child-is-eligible-is-it-compulsory-for-them-to-attend-school>

If you have any queries regarding the EHCP or annual review processes, please contact the SEN Team:

E-mail: senteam@shropshire.gov.uk

Tel. **01743 254267**

IASS continues to be available 10am to 4pm, Monday – Friday. If you would like further independent information, advice and support, email them on; iass@cabshropshire.org.uk

Alternatively, a message can be left on **01743 280019**. They aim to respond within 3 working days.

Website <https://www.cabshropshire.org.uk/shropshire-iass/>