

**0-25 SERVICE**  
**Education, Health and Social Care**  
**Statutory SEND Panel**

**TERMS OF REFERENCE**  
**16/04/21**



***Where the term ‘child’ is used throughout this document it refers to children within the Early Years sector and of statutory school age and the term ‘young people’ refers to those in further education, training or apprenticeships up to 25 years old.***

## **Summary**

The key purpose of the Statutory SEND Panel is to:

- consider requests for Education Health and Care needs assessments (EHCna)
- consider whether to issue the draft Education, Health and Care Plan (EHCP)
- allocate appropriate funding from the High Needs Block (HNB) to meet the provisions identified within the EHCP
- identify relevant local mainstream school where the child or young person’s needs can be met – taking into consideration young person/parent or carer preference
- ‘joint sign off’ EHCPs, from all agencies i.e., Education, Health and Care

The Statutory SEND Panel is accountable to the Head of Service for SEND and Inclusion.

## **Scope**

The Statutory SEND Panel is responsible for ensuring a co-ordinated approach towards the request for an Education, Health and Care needs assessment for children and young people with SEND within Warwickshire, which includes:

- Decision to undertake an Assessment of need.
- Decision to issue an Education, Health and Care Plan following assessment.
- The allocation of funding to support an Education, Health and Care Plan.

All requests will be through SENDAR via [sen@warwickshire.gov.uk](mailto:sen@warwickshire.gov.uk). The Statutory SEND Panel process will consider whether the requests clearly identify needs of the children and young people through documented evidence via the ‘Assess, Plan, Do, Review’ process, following Warwickshire County Council’s internal procedure.



The Chair of the Statutory SEND Panel has delegated authority from the Head of Service to make financial decisions in relation to the provisions set out in the Education Health and Care Plan (EHCP) against the DSG High Needs Block (HNB).



The Statutory SEND Panel will promote the underpinning principles of the SEND Code of Practice 2015

- Aspirational and person-centred planning
- Empowering and promoting equalities and preparation for adulthood
- Evidence based decisions that are an efficient use of resources
- Safeguarding and working together for positive outcomes for children and young people

### Panel Members and their Responsibilities

Role	Role on Panel
Senior Manager – SEND & Inclusion	<b>Panel Chair</b> - Responsible LA Officer for decisions on requests for EHC needs assessment, agreement to draft an EHCP, issuing EHC Plans and allocating resources for EHC plans. Compliance with statutory duties.
Senior Plan Coordinator	Advice on requests heard – holding to the Statutory responsibilities in the Code of Practice
Senior LA Educational Psychologist	Advice on psychological needs of child/family and interventions, compliance with statutory duties.
School Leaders (Mainstream and /or Special)	Advice from schools and settings perspectives in relation to appropriate school-based interventions. Advice on general school improvement and school duties relating to SEND.
Senior Early Years Practitioners	Advice from Early Years perspective in relation to appropriate early years-based interventions.
Designated Clinical Officer/Health Representative or Commissioning Officer from CCG	To provide health advice, and sign off on the health elements of Education, Health and Care Plans.
Social Care	To provide advice and 'sign off' of the social care element of Education, Health and Care Plans.
Panel Administrator	To ensure all relevant information is circulated in advance, compile and maintain the list of attendees and observers. Accurately record panel decisions, actions arising and cascaded to the relevant persons for further action, if required.



Statutory SEND Panel members should work to the principles set out in this document and:

- provide expertise in their own specialist area and offer impartial advice on individual cases without promoting the interests of their service or setting
- use their expertise and knowledge and offer views on assessments, outcomes, interventions and evaluations over time, timescales, appropriate and proportionate provision, and other matters in relation to the child and young person.
- offer relevant advice about legislation, SEND code of practice, reforms or priorities in education settings, services, or organisations
- advise on the effectiveness of proposed EHC plans, procedures, and provision
- advise on, and challenge the use of the education setting's own resources and delegated budgets
- report any safeguarding concerns that may be identified in line with WCC's safeguarding procedure
- ensure there is robust scrutiny and option appraisals for provision, including the whole aspect of a child's provision (i.e. health, social care, and education).

Statutory SEND Panel representatives must uphold confidentiality in all cases considered at Statutory SEND Panel and act in accordance with the Data Protection duties of the LA and working together to safeguard children and young people.

Statutory SEND Panel members should not participate in decisions about cases which they are directly involved in or where there may be a conflict of interest (and as appropriate should leave the Panel whilst the relevant cases are decided upon).

Statutory SEND Panel members offer advice and recommendations that enable the Panel to make an informed decision which is evidenced based. Every effort is made to reach agreement on each case. Final responsibility for decisions is with the LA through the Chair of the Panel. To enable effective and informed decisions a minimum of three members are required for the Statutory SEND Panel to be quorate.

## **Frequency and Structure of Panels**

The Statutory SEND Panel meets weekly throughout the year.

## **Exceptional Panel**

An exceptional panel could be called if the demand increases significantly. Calling an exceptional panel is at the discretion of the Chair. All efforts will be made to ensure that an Exceptional panel is quorate but if this is not possible the panel can meet and make decisions provided it constitutes – Chair / Senior Plan-Co and Senior Educational Psychologist.



## **Reporting Arrangements**

Parents carers, young people and education settings will be informed of the outcome of Statutory SEND Panel via telephone / email or letter.



## **Review Arrangements**

Terms of reference will be reviewed on an annual basis.