



Warwickshire Parent Carer Webinar (SEND) - SENDIAS 21st November 2022 Q&A's

1. How do we get the details to call your helpline?

SENDIAS telephone number is 02476 366054.

2. Please can you explain what an Education, Health and Care Plan (EHCP) is, who writes them and how do they get implemented?

SENDIAS have developed Warwickshire specific resources on 'What is an EHC Needs Assessment' and 'What is an EHC Plan' available on the website to download <https://www.kids.org.uk/warwickshire-regional-resources>

The Local Authority's SEND Assessment and Review (SENDAR) service are responsible for the following:

- Managing requests for EHC Needs Assessments via panel
- Writing and issuing EHC Plans or Provision Summaries following an EHC Needs Assessment
- Identify the nearest appropriate setting in the EHCP (parental preference considered)
- Maintaining budgets for Special Schools and top-ups for mainstream schools / colleges
- Managing Pre-school, Y2/3, Y6/7 and Y11/12+ transitions
- Supporting positive destinations into adulthood through early planning, as well as increasing capacity in colleges
- County wide development of supported internships, and regional Preparation for Adulthood development work
- Monitoring Annual Reviews of EHC Plans and amending / ceasing EHCPs as appropriate
- Managing caseloads of all pupils with EHC Plans
- Preparing cases for panels
- Moderating funding requests from mainstream schools
- Managing appeals (mediations, tribunals)

You can contact your EHC Plan Coordinator in the Local Authority (LA) if you feel the plan is not being implemented and request an emergency review meeting. For more information, please see the links below:

- <https://www.warwickshire.gov.uk/homepage/318/ehc-needs-assessment-and-ehc-plans>
- <https://www.ipsea.org.uk/pages/category/education-health-and-care-plans>

SENDIAS provide impartial information, advice and support on all aspects of SEN Support and EHC Plans.

3. My son is currently in year 5 at mainstream school and we had his annual review last week. I would like some support regarding getting him to a specialist setting ASAP or at the latest, for secondary school.



A parent or young person will be able to request a particular school when they receive a draft EHC plan or an Amendment Notice amending an EHC plan. This might be when they are getting an EHC plan for the first time; if the EHC plan is being amended after an annual review; or if the EHC plan is being amended at any other time (for example, if the child or young person has to move schools and the EHC plan needs to be amended to reflect that).

The Annual Review for transition to secondary school should be held in the Autumn Term of Year 6. The LA has to amend the EHCP and name a secondary school by 15th February of the year your child transfers from Primary to Secondary.

You have a right to request any of the following types of school or college:

- A maintained school or nursery (mainstream or special)
- An Academy (mainstream or special)
- An institution in the Further Education sector
- A non-maintained special school
- A section 41 school.

These are listed in section 38(3) of the Children and Families Act ('CAFA') 2014. A specialist unit or resourced provision may be a separate institution or part of a mainstream school.

The only reasons the LA can refuse the request is if:

- The setting is unsuitable for the age, ability, aptitude or special educational needs ('SEN') of the child or young person; or
- The attendance of the child or young person would be incompatible with the provision of efficient education for others; or
- The attendance of the child or young person would be incompatible with the efficient use of resources.

Section 39(4) CAFA 2014 sets out that the LA has to prove that at least one of these conditions applies in order to dislodge your preference.

For placement at a specialist provision, it is important that the assessment reports and/or the evidence obtained for the purposes of an annual review show that the needs of your child can only be met within a specialist provision. The school will need to evidence that they cannot meet your son's needs and why they are unable to meet needs and request an emergency/early annual review to bring this to the attention of the LA.

If you identify a school and that school is independent and not LA Maintained or a Section 41 school, then you will need written confirmation that the school firstly has a place and are willing to offer a place and, secondly, that they can meet your son's needs based on the information within the EHCP.

If the LA names a mainstream school and you feel that this is not the setting for your son, you have the right to appeal this decision through mediation or the First Tier Tribunal.



Please do contact SENDIAS for information and advice.

- 4. I live in Rugby. It is difficult to find holidays clubs in the summer holidays for my child with autism as they say they can't manage his care unless there is 1:1 support. He doesn't have an EHCP.**

There is no legislation for out of school provision as there is with education. You can request a Parent/Carer assessment on the Local Offer information, <https://www.warwickshire.gov.uk/directory-record/6501/parent-carer-support-pathway> and information on short breaks [Short breaks statement – Warwickshire County Council](#).

Holiday club provision for children with SEND has been raised as an issue by Warwickshire Parent Carer Voice and possible solutions have been discussed although this will take time to implement. The Family Information Service have details of suitable activities: fis@warwickshire.gov.uk 01926 742274.

- 3. Will future HAF [holiday activities and food] programmes include more activities and holiday clubs for children with SEN needs?**

HAF programmes and providers are constantly being reviewed with the aim of providing more activities and holiday clubs for children with SEND needs. Additional funding is available to support providers to enable them to accept children who need extra support. It is best to raise queries regarding HAF to the Family Information Service as this is not really within SENDIAS services remit.

- 4. Is the support in schools only for state schools?**

Special educational provision given to children and young people without EHC plans is referred to as "SEN Support". All types of maintained schools and post-16 institutions are included except wholly independent schools not opted in under section 41. Maintained includes LA schools, academies, LA nurseries, free schools, further education colleges and 6th form colleges.

Non-maintained schools includes private nurseries, prep schools and other independent fee-paying schools, including Section 41 schools.

If independent schools are on the Section 41 on the approved list they have a reciprocal duty to co-operate with the local authority on arrangements for children and young people with SEN, and to have regard to the statutory guidance in the [Special educational needs and disability code of practice](#) For further information regarding Section 41 schools please see the response to the question below.

Private fee-paying independent schools do not have the same duty as maintained (state) schools. If your child attends an independent school and you pay the fees, the school is not legally required to identify SEN or provide support in the same way. The Equality Act 2010, however, does apply to all schools and education settings. Independent schools must not



discriminate against disabled pupils and must make reasonable adjustments where necessary to avoid disability discrimination.

5. Independent SEN schools - is this funded by the LA if it is named on EHCP? Do parents have to contribute? Can you provide a list of Independent schools?

Independent SEN schools can be approved by the Secretary of State. These are called Section 41 schools which means that parents or young people can request these to be named in the EHCP. If named, Section 41 schools have to admit and the LA would be responsible for all funding if the LA have named them in Section I of the EHC plan.

Parents can also request Independent SEN schools that are not Section 41 schools. The local authority will consider a request but is not under any specific duty to secure a place and there is no duty on the institution to admit the pupil or student. If named on the EHCP the LA again would be responsible for all funding.

Please note that whilst parents can express a preference for independent SEN schools, the LA may consider that the school would be unsuitable for the age, ability, aptitude or SEN of the child or the attendance of the child or young person there would be incompatible with the efficient education of others, or the efficient use of resources. The LA will then name what they consider to be a suitable school in the EHCP in Section I. You can appeal this decision, SENDIAS would recommend that specific advice is sought in that situation.

SENDIAS services do not hold details of any type of schools, but we would signpost to this link to Independent Specialist setting that are on Warwickshire's framework -

[Special Educational Needs and Disabilities \(SEND\) – Admissions to specialist settings – Warwickshire County Council](#)

This is a link to government list of all Independent SEN schools, including Section 41 schools (you can sort the lists into areas) -

[Independent special schools and colleges - GOV.UK \(www.gov.uk\)](#)

6. Any advice on how to negotiate a child's place on a school trip overseas? Currently school are suggesting she has behavioural issues and not accepting behaviour is function of her disability. They are also wanting us (as parents) to tell school what to put in place and how to resolve this.

The Department for Education has placed particular emphasis on encouraging inclusive practice and removing barriers to learning. This applies not only to school lessons, but equally to trips and other events. What is considered a 'reasonable' adjustment will depend on the circumstances. If the adjustment would involve excessive costs or substantial detriment to other pupils, it is unlikely to be deemed to be 'reasonable'. Ultimately, schools must find ways to ensure disabled pupils are afforded the same opportunities as other pupils. Often, planning in advance and discussing needs with parents and staff helps to find a workable solution. The school is required to make reasonable adjustments to enable pupils to access the same opportunities as their peers. 'Reasonable' will take into account costs and impact on other pupils. Parents are often well-placed to advise schools how to support needs as are other



external professionals involved in the assessment or support of your daughter. Your child's school may have sought advice from outside agencies as part of their SEN Support and the Graduated Approach where you can refer to reports and risk assessments. Further information is found in the [Equality Act Advice Final.pdf \(publishing.service.gov.uk\)](#)

7. Do you support Early Years Support Meetings in Nursery?

SENDIAS supports parents of children and young people aged 0-25. We aim to empower parent carers and provide information to help you speak to the SENCO or Nursery Manager in the setting. We can attend meetings with parents who we feel need additional support and to help interpret the information at the meeting.

8. My son was excluded the week before half term. He went back after but was only doing half days till 12.30. The school was using strategies given to them by the EP who has seen my child. He was excluded again a week after coming back and now has been permanently excluded when his last exclusion came to an end. I did ask for an EHCP, but it had been denied. What can I do now? He is 5 years old.

With reference to your child being excluded, the LA will be working to secure fulltime equivalent educational provision for your child from Day 6, however you have the right to appeal this decision. Details of how to do this will be explained in the letter you received from the Head teacher. Where the decision of exclusion is upheld by the Governors, you have the right to request an Independent Review Panel (IRP). The role of the IRP is to assess whether your child's exclusion has been lawful, reasonable, and procedurally fair and what further action might need to be taken. Parents also have the right to request a SEN Expert whose role is providing impartial specialist advice to the panel on how SEN might be relevant to the permanent exclusion. Regarding your right to appeal the LA's decision for a 'refusal to assess' your Education Health Care Needs Assessment (EHC NA), SENDIAS can advise you on your next steps if you contact the service directly. For more guidance on the process around on exclusions, please see this new video coproduced with Warwick University law students, the LA and Warwickshire Parent Carer voice: [Video link](#)

9. The reality of trying to get an EHCP for Looked After Children (LAC) is horrendous especially as getting attachment trauma diagnosed as supporting evidence. The schools are saying they meet the children's needs however the fallout at home from attending mainstream is devastating. Trying to find an alternative provision without EHCP is impossible and there is no holistic approach. Schools voice that 'the children are not disabled enough and there is a long waiting list to see EP'.

The LA are exploring having a focus group to explore the experience of children who are children in care and have SEND needs, please email sendchange@warwickshire.gov.uk to find out more or get involved.

Typically, an EHCP is required when a child or young person's needs cannot be met with the resources available to the school or setting ([SEND Notional Funding](#)).

SEN Law states the legal test where LA's must secure a Needs Assessment if:



- (a) the child or young person **has or may have** special educational needs, and
- (b) it **may be necessary** for special educational provision to be made for the child or young person in accordance with an EHC plan.

A child or young person has special educational needs if they have a **learning difficulty** or **disability** which calls for special educational provision to be made for them (CFA 2014, Section 20(1)).

Special educational provision is provision that is **additional to** or **different from** that which would normally be provided for children or young people of the same age in a mainstream education setting (CFA 2014, Section 21).

There are four broad areas of Special Education Needs –

- Communication and Interaction
- Social, Emotional and Mental Health
- Cognitive and Learning
- Physical and Sensory Impairment

There does not need to be a diagnosis of Attachment Trauma and schools do have access to Trauma Informed training and advice from Warwickshire Education Services. There are a range of courses free to Warwickshire Designated Teachers in school via the virtual school.

There are also the additional resources and training below free to Warwickshire schools:

- **Beacon House website**- Support individuals and teams to develop their trauma informed practice through training, supervision, and consultation.
- **UK Trauma Council website**- Support professionals, communities and policy makers through developing resources, guidance, and training in responding to traumatic events that impact on children and young people.
- **Attachment**- 1/2hrs- An introduction to attachment theory. Consider what is meant by attachment difficulties and attachment disorders, why attachment is important and the impact it can have on development. Explore risk and protective factors and take aware strategies for helping children to build relationships and feel secure. Understand when and how to access specialist services. - [CWRise for Professionals](#)

All the below are via the Safeguarding Team- [Safeguarding Training Programme](#)

- **Introduction to Adverse Childhood Experiences- 50 min course**- Practitioners in Warwickshire will have the opportunity to access more learning in relation to adverse childhood experiences so that they can understand the impact on a child's development and response to stress. This course has been developed by the Early Intervention Foundation.
- **Understanding Trauma**- 13-module course, estimated to take up to 3 ¾ hours to complete, it is not necessary to complete in one sitting- This course has been developed by Solihull Approach to help practitioners understand what trauma is and how it might affect children and adults. All professionals with a work-based Warwickshire postcode can access this course free of charge through the integrated training partnership with Public Health. It can be completed on a standalone basis and does not need to be completed in conjunction with other Solihull Approach courses



- **Understanding Today's Children-** Half Day- This course aims to ensure delegates understand the origins of behaviour and how this can present but also gives strategies to effectively support this in the setting. It aims to explore the overlap between ASD, ADHD, trauma, and attachment and how all children can be supported in school.
- **Solihull Approach-** 2 days- The Solihull Approach foundation training aims to increase knowledge and understanding of emotional health and wellbeing for practitioners working across all areas of children and family services.

10. My son is in Year 6 and on the SEN register. He is being tested for autism and dyslexia. I am trying to access support, but the process is confusing. The school advised me to contact the GP, but they have referred me back to the school. He goes to school in Leicestershire but I live in Warwickshire.

[Child and Adolescent Mental Health Services \(known as RISE in Coventry and Warwickshire\)](#) and the [Neurodevelopmental Service](#) are led by where you live rather than by where the school is located. The GP could also make the referral but the school usually has more information available to them to support the referral. Regarding Dyslexia, in the first instance the school should refer to their [Educational Psychologist](#) or [SEND Specialist Teaching Service](#) (STS): There are similar services within Leicestershire that they could use as well. Here is a link to our resources on our website signposting support for [Dyslexia](#): If you follow the NHS link, you will find information about Dyslexia provision.

Further information of a range of services and support available across education, health and social care for families with children and young people aged 0 to 25, who have special educational needs and/or disabilities can be found on the Local Offer [SEND Local Offer – Warwickshire County Council](#). In the [Get Involved](#) section you can find previous parent carer webinars including one on [Early Conversations](#) which may be useful. For children who go to school in other counties, it may be worth looking at their Local Offer as well.

11. I think my daughter has dyscalculia – school have been supporting, but she's in year 6 and still not made any progress. Any advice would be appreciated.

The school can buy in support from the [Specialist Teaching Service](#) (STS) in Warwickshire County Council. STS can do a portfolio assessment which will start to help us try different strategies that may work.

You can read further information on SEN Support in School on the SENDIAS website and download resources: <https://www.kids.org.uk/warwickshire-regional-resources>

12. School have done a dyslexia assessment on my autistic and ADHD son and said there isn't enough for a diagnosis. Can I challenge this if I don't think it's right? He's in year 10 so I'm concerned about GCSEs and not sure whether to look into a private assessment.



A diagnosis of Dyslexia isn't required for Access Arrangements for GCSEs. Specific tests for access arrangements need to be completed – most schools buy in this from [STS](#) but some have trained their own staff to do them.

13. I have recently applied for an EHCP assessment on behalf of my son. He turned 16 during the time of the 6 week response rate. If we need to appeal does he need to apply himself for it to appeal?

Once a child reaches the end of compulsory schooling (the end of the academic year in which they become 16), they become known as a 'young person' and the power to make decisions about their education (including the right of appeal) passes to the young person unless it is agreed that the young person does not have the Mental Capacity to be able to make such decisions.

In cases where it is agreed the young person does have the capacity to make their own decisions, there is nothing to stop the young person appointing their parent as their representative for the appeal, but there should be evidence that the young person has been involved in making decisions.

It could be worth checking if a young person qualifies for legal aid. If they do, a solicitor will help in preparing for a tribunal. Please check eligibility here –

[Check if you can get https://www.gov.uk/check-legal-aid](https://www.gov.uk/check-legal-aid) this link also has details of other organisations who may be able to help. If you're under 18, you should [contact CLA](#) without completing the financial assessment. Parents and carers of under 16's can also use this link to see if they qualify for Legal Aid.

14. I have two children with multiple needs who through lack of care and help at secondary school are both suffering from emotional based school avoidance as diagnosed by the EP. Is this something you can help with and advise as to what school should also be doing to help?

School should be implementing the Educational Psychologist advice as part of their 'graduated response' for Social, Emotional and Mental Health Difficulties –

<https://www.warwickshire.gov.uk/social-emotional-mental-health-semh>

Schools can make a referral to the Flexible Learning Team at Warwickshire County Council (WCC) <https://www.warwickshire-flt.org.uk/index.shtml> if additional support is required and a medical professional has stated that your children are not well enough to attend school.

WCC is just launching a project to raise school awareness of 'Emotionally Based School Avoidance'. The Department for Education have provided the following guidance for Local Authorities –

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/941900/health_needs_guidance_accessible.pdf

You can read further information on Warwickshire's Alternative Provisions here –



<https://schools.warwickshire.gov.uk/education-resources/alternative-provision>.

If your school are unable to complete a graduated response due to your child being unable to attend school, you may wish to contact the service directly so SENDIAS can advise you further on potential options.

15. Is the graduated response still relevant post 16? It's in my sons EHCP.

Yes, the graduated response is still relevant up to the age of 25, where applicable.

<https://www.warwickshire.gov.uk/send-inclusion-guidance/introduction-send-inclusion-guidance/3>

EHCP's do not cover higher education and will cease if the young person goes to university.

16. Can you please tell me how to access the section 17 assessment?

Under Section 17 of the Children Act 1989, a child will be considered in need if:

- they are unlikely to achieve or maintain or to have the opportunity to achieve or maintain a reasonable standard of health or development without provision of services from the Local Authority;
- their health or development is likely to be significantly impaired, or further impaired, without the provision of services from the Local Authority;
- they have a disability.

Children in need may be children with Special Education Needs and Disability.

A 'child in need' assessment under section 17 will identify the needs of the child and ensure that the family are given the appropriate support in enabling them to safeguard and promote the child's welfare.

You can ask for a Section 17 assessment and would suggest that you make the request in writing.

Please see this link for specific Warwickshire links:

<https://www.warwickshire.gov.uk/carers/parent-carer-support-pathway/4>

Or this link for national advice from Contact a Family: [Social care | Contact](#)

For advice and information on social care in relation to Education, Health and Care Plans, please contact SENDIAS.

17. I suspect my daughter is neurodiverse and am having a number of issues. I have contacted pastoral and SENCO and done the CW rise dimensions tool. What is the next step I need to do?

School or GP can make a CAMHS referral. School is usually best placed to do this as they are likely to have a greater knowledge of the child than the GP. The [Dimensions Tool](#) you have completed should be included in the referral.



This is the link to the CAMHS Neuro-Development Service (known as RISE):

[About Neurodevelopment | CAMHS \(cwrise.com\)](#)

For support within school, you can look at your school's SEN Report. This should be published on the school website and details how school identify and support children and young people's SEN. You may also be interested in the webinar on [Early Conversations](#).

18. We have moved house to Warwickshire but our GP is still in Coventry, and they have cancelled his speech and language support. We had the EHCP review last month but still no SALT support has been provided.

SALT support is usually funded through the EHCP (this would be Warwickshire if that is where you live). The delay may be caused by staff shortages in Warwickshire SALT currently, although the LA should commission additional services when provision is written into Section F of the EHCP.

If the provision in Section of F of an EHCP is not being implemented, you can share your experience though an informal process to give your feedback on SEND Services <https://www.warwickshire.gov.uk/sendfamilyfeedback>

You may choose to make a formal complaint to the Local Authority by sending an email to: sen@warwickshire.gov.uk and customerrelations@warwickshire.gov.uk. Your complaint should state what provision is not being delivered and what would be a satisfactory outcome (e.g. for Speech and Language provision to be delivered as soon as possible, using a private provider if NHS/LA services are not available).

If you are not satisfied with the response to your complaint, the next to step is to make your complaint to the Local Government and Social Care Ombudsman. The LGSCO are responsible for considering complaints that arise from maladministration within a Local Authority and will consider if there has been an injustice caused. To raise a complaint to the LGSCO parents must first have exhausted the local authority's own internal complaints procedure. If they do not, the LGSCO will not accept the complaint no matter how urgent or compelling it is. You can find further information here: [Home - Local Government and Social Care Ombudsman](#). Please also see a link to a previous webinar on [Speech and Language Provision](#)

19. What pastoral services can be made available to Primary mainstream schools in Warwickshire?

Schools would need to purchase external support using their [SEND Notional Funding](#); examples include counsellors and play therapists or involved with [Early Help](#). The SENCo works closely with Pastoral where advice from agencies such as Educational Psychology Service or Specialist Teaching Service can be sought.



20. My son is on the SEN register, he is now being tested for autism and the school are saying it's the doctors who refer the child, the doctors are saying the school - do you know who it would be?

The GP or the school can refer the child although the school usually has more information on the child's social interaction and communication to support the referral. Please also see the earlier answer to Question 12 regarding links to CAMHS/RISE. The webinar on [Early Conversations](#) may also be helpful.

21. How do I make sure that EHCP will be done/be in place by until my kid starts reception as it is very difficult to get any time frame or contact the authorities?

There are statutory timescales for this and the first step is making an EHCP Needs Assessment request. Here is a link to the [Process for Education, Health and Care Needs Assessment](#). This can be done either by the school or the parent. If the request for assessment is agreed and if following the assessment an EHCP is issued, the LA have a statutory duty to finalise the EHCP within 20 weeks of receiving the initial request. Here is a link to the [timeframe](#) for an EHC Plan from parental/school request to when the EHC Plan must be finalised.

Please contact SENDIAS if you experience difficulties, and we can advise on your next steps.

22. My daughter has been assessed by STS [Specialist Teaching Service in the LA] and has been identified as having vestibular needs, she spins a lot. However, secondary schools do not have the equipment identified to help her, i.e. hammock, hanging chair. Should school purchase items? She is also known to self-harm as school has been identified as an area of stress and high anxiety through CAMHS.

Your school's website will include the SEN Information Report where they show how they identify and support children's/young people's SEN. You may want to set up a meeting with your SENCo and ask how they are meeting your child's needs using their notional budget of £6000 per pupil per year with SEND. This would include buying equipment recommended by outside agencies e.g., Occupational Therapist, Educational Psychiatrists or Specialist Teaching Service. Please look on the SENDIAS website for our resources of managing meetings, SEND Support and EHCP's <https://www.kids.org.uk/warwickshire-regional-resources>.

23. My child does a lot of masking and home can be a battle ground. What can we do to provide evidence of these problems as evidence of need for support in school?

Evidence shouldn't be required, what is important is that you have an opportunity to share your concerns with the child's class teacher or the school SENCo. It can be very difficult for schools to provide the right support when they are not seeing the need – this is where parental involvement is crucial. If you experience difficulties in receiving an appropriate level of SEN Support, please contact SENDIAS who can advise you further.



24. Is there any guidance on what should be in an IEP please?

The IEP should include measurable and realistic targets to help measure progress against the identified needs. The IEP should include what support is being provided to help the child achieve the target, clear success criteria and a review date (usually termly) All staff working with the pupil should be made aware of their needs, the outcomes sought, the support provided and any teaching strategies or approaches that are required. The type of support and intervention provided should be selected to meet the outcomes identified for the pupil, based on reliable evidence. The information gathered in assessment should be available to and discussed with the pupil/parents, normally as a written record e.g., IEP, Pupil pathway or similar document.

25. My question is do we have to re complete the same forms over and over as I've already had to complete the ADHD/ASD form twice in the last 9 months. School also asked me to get the GP's to do a referral as well, does this move things along quicker?

Either the GP or the school can refer although the school usually has more information on the child's social interaction and communication to support the referral. Similar to the myth if parents do a Needs Assessment rather than a school it will be quicker, it's unlikely to be faster if the GP has made a referral to [RISE](#) instead of a school. School will also have to complete forms to show how the child is in their setting anyway.

Additional Information:

- [Webinar - Graduated Approach \(YouTube\)](#)
- [Webinar presentation \(PDF, 820 KB\)](#)
- [Webinar - Q&A \(PDF, 179 KB\)](#)

New School Inclusion Charter: <https://api.warwickshire.gov.uk/documents/WCCC-600065477-406>

New guidance video on exclusions: [School Exclusions: A Helpful Guide for Parents, Guardians and Carers](#)

Support, advice and guidance for families: <https://www.warwickshire.gov.uk/children-families/service-changes-children-families/2>

Feedback: Please give your views on SEND Services via the live feedback form:
<https://www.warwickshire.gov.uk/sendfamilyfeedback>