

SEN REFORMS

Richard Freeth asks: is your school compliant?

On 1 September 2014, the new framework to support children and young people with special educational needs and disabilities (SEND) came into force in England and Wales under the Children and Families Act 2014 and the new SEN Code of Practice. The reforms place new legal duties on the governing boards of all state-funded schools and adapt the school's working practices to the new way of working based on a central theme that children and young people must be the focus of the support.

SEN Information Report

The most immediate concern is the need for the governing board to prepare, and publish on the school's website, a SEN Information Report. This must have been available from 1 September 2014. The report sets out in practical terms the approach which the school will take towards supporting children and young people with SEND.

The report should bring together the school's approach and policy framework into one document. The legislation and Code set out over 15 specific issues which the report must cover and the expectation is that it will be kept under review and updated to reflect any changes in practice or procedure that impact on provision at the school.

One issue which must be covered is how the governing board evaluates provision at the school. The reports also feed into the 'local offer' which local authorities must publish (from the same date). This provides an area-wide picture of SEND support services.

Other duties have been imported from the old SEN framework established under the Education Act 1996. Schools must still have a SENCO who is responsible for co-ordinating SEN provision within the school and schools must support inclusion and ensure,

as far as possible, that SEND pupils engage in the activities of the school alongside pupils who do not have SEND.

Underpinning the provision of the additional support for SEND pupils is the best endeavours duty on the governing board. This means doing everything to ensure support is secured to meet a child or young person's SEN. How schools approach meeting this duty is further detailed in the SEN Code.

The starting point will be quality classroom teaching and using evidence of less than expected progress to provide interventions to support the child. The class teacher remains responsible for the child's progress but will receive additional support from the SENCO, relevant external specialists and the parents. The latter need to be involved at all stages of SEN support and will provide the school with holistic evidence about the child.

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Best endeavours will also encompass requesting Education, Health and Care (EHC) assessments where necessary and requesting additional funding from the LA's High Needs block. The duty is about doing everything possible to support the child in the school environment and that could encompass taking steps to force other agencies to act.

Many of the new duties are operational in nature and will not directly impact on the governing board. However, it remains the role of the

CHILDREN WITH MEDICAL NEEDS

The support duty has been extended to pupils with medical needs and specific provision must be secured by schools to support such pupils. While the school will be able to access specific guidance on the new duty, governing boards may wish to consider their support for a whole range of additional needs to ensure the school is complying with its legal responsibilities.

governing board to ensure that the school is run in accordance with the relevant legal frameworks in a way which provides the best outcomes for pupils.

Governing boards will need to keep a close eye on the SEN framework and ensure that their school is meeting its requirements. Clearly, preparation, publication and review of the SEN Information Report will provide an update for governors on the school's approach but it will also be necessary to consider whether more regular updates are required.

Central role

Governors have a key role in ensuring schools play their part in supporting all pupils and have the ability to focus resources on those areas with greatest need. Provision for all vulnerable pupils (SEND, pupil premium, medical needs etc) needs to be central to school development and governors have a central role in ensuring that provision is appropriate. 



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