

SEND Handbook

2022 - 2023

Updated February 2024



SEND Handbook, 2022 - 2023

This Handbook is designed to help professional working with children and young people to find the right information at the right time. With professional having a clear and consistent understanding of the SEND processes they will be well equipped to support families in understanding the processes and decisions that will impact on children, young people.

This guidance is not designed to help practitioners to make recommendations for families other than signposting the families to the relevant service, organisation or policy that will help them on their next steps.





Contents

4	Introduction to Inclusion
6	What is SEND?
7	SEND code of practice
9	Legislation
11	Mainstream core standards
13	Mainstream core standards—Post 16
14	Local offer
15	Graduated Approach
16	School readiness
17	Pre Phase Transfer preparatory tasks
18	EHCPs and when they are necessary
21	Transition
22	SRPs– Specialist Source Provision
24	Schemes Of Delegation
25	What to do
26	Annual reviews
27	Panel meetings
28	Supporting Health needs
29	Children Missing Education
31	SEND Transportation
34	SEND Support Services
35	Best Practice Guidance
38	Policies and Procedures
39	Glossary
34	Appendix

Introduction to Inclusion

This section will outline what inclusion is and the potential benefits of having an effective Inclusive Education System.

What is inclusion?

Inclusion is described as the practice of ensuring that people feel they belong, are engaged, and connected. It is a universal human right whose aim is to embrace all people. It is about valuing all individuals, giving equal access and opportunity to all and removing discrimination and other barriers to involvement.

As the champion of families, children, and young people, our collective priorities are to be certain that all children and young people are engaged with and included in the provision of high-quality inclusive education. Ensuring that, whatever their circumstance or ability, our children have a sense of belonging, feel respected, are valued for who they are and develop the knowledge and skills required for adult life. In doing so, we strive to achieve a continuous improvement in standards, a significant narrowing of achievement gaps for vulnerable groups of learners and a wholly inclusive education system which ensures:

- **Equitable access for all.** Sufficient, appropriate, quality education provision is available for all children and young people in Kent.
- **No child is left behind.** All children and young people are supported to be engaged fully in their education.
- **Effective collaboration.** There is collaboration and multi-agency working providing a self-improving, sustainable system which supports the education of all.
- **Support, empower, challenge.**



Introduction to Inclusion *(continued)*

The success of an effective inclusive education system is dependent on all stakeholders collaborating with their shared aims. We aim to support and empower schools and settings, incentivising and motivating engagement by:

- Ensuring processes and priorities are based on school-led evaluation using a robust framework with evidence from a variety of sources.
- Using data and information to support impact analysis that is contextualised and presents a richer and realistic picture.
- Providing a high level of training and support with an equitable core offer for all providers.
- Supporting the development of locality collaborations with collective control over resource to meet the local needs.
- Supporting the development of a school-to-school system of continuing professional development and improvement support.

Collaborative working enables transparency between providers and other stakeholders. Accountability and challenge are the responsibility of all stakeholders and it is incumbent on all parties to work together to eradicate weaknesses in the system for our children and young people.

Further information on Inclusion can located on the Kelsi Website [Inclusion - KELSI](#)

(Continued over)



What is SEND?

This Section will outline the true definition of SEND gathered from the Gov.UK website, as well as include links to the Kelsi Newsletter where you can keep up to date with the latest information and guidance.

Special educational needs (SEND) Formal Definition is in SEND Code of Practice – Page 15/16

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf

A child or young person has SEND if they have a learning difficulty or disability which calls for special educational provision to be made for him or her.

A child of compulsory school age or a young person has a learning difficulty or disability if he or she has a significantly greater difficulty in learning than the majority of others of the same age, or has a disability which prevents or hinders him or her from making use of facilities of a kind generally provided for others of the same age in mainstream schools or mainstream post-16 institutions

For children aged two or more, special educational provision is educational or training provision that is additional to or different from that made generally for other children or young people of the same age by mainstream schools, maintained nursery schools, mainstream post-16 institutions or by relevant early years providers.

For a child under two years of age, special educational provision means educational provision of any kind. A child under compulsory school age has special educational needs if he or she is likely to fall within the definition in paragraph above when they reach compulsory school age or would do so if special educational provision was not made for them (Section 20 Children and Families Act 2014).

In Kent, this means that a child with SEND can be fully included, thrive and be happy in their local mainstream school as all mainstream schools are expected to deliver the **mainstream core standards**.

https://www.kelsi.org.uk/data/assets/pdf_file/0004/117256/Special-educational-needs-mainstream-core-standards.pdf

Kelsi Newsletter:

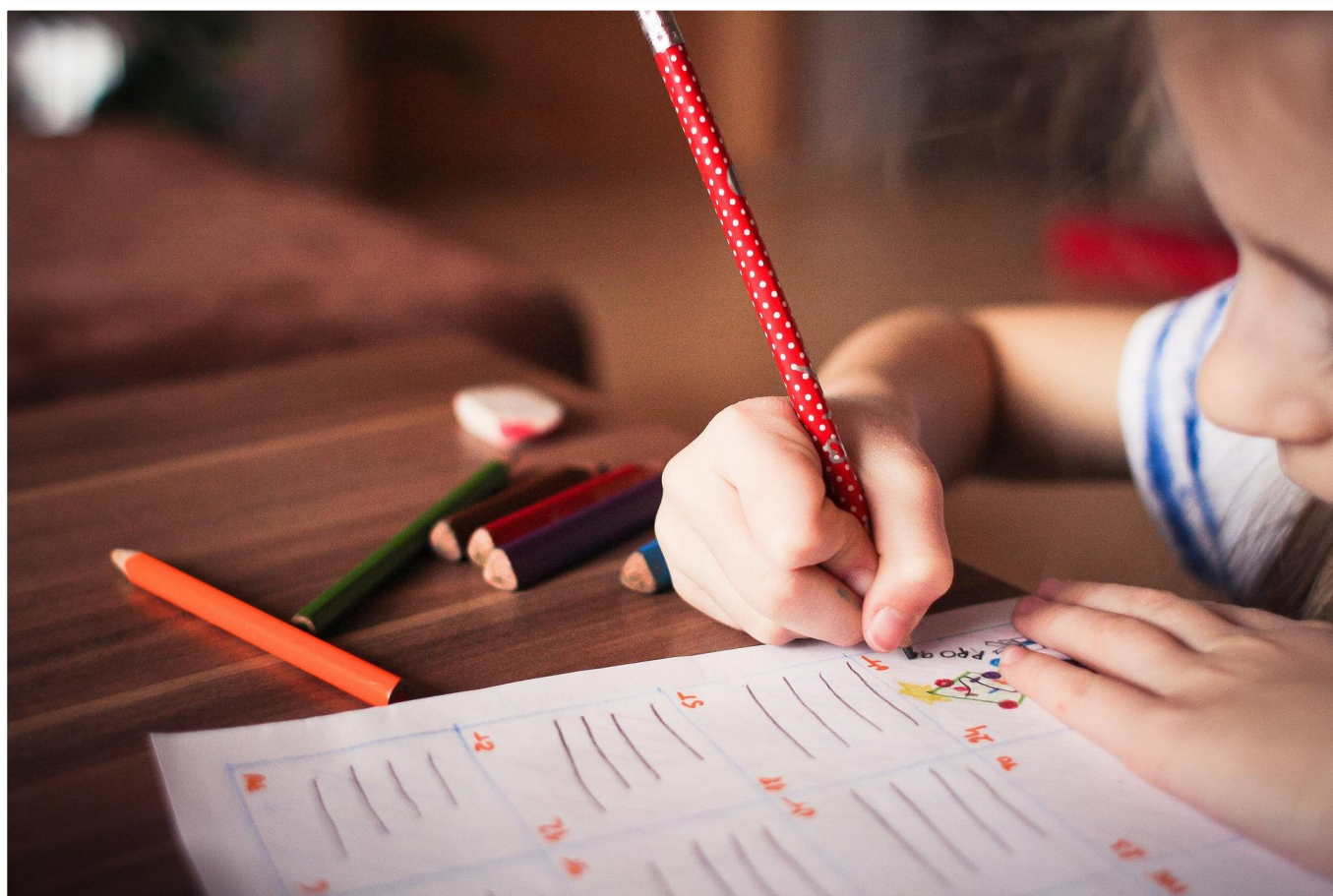
To keep up to date on what's happening withing Kent, then please head over to the Kelsi Website [News and events - KELS!](#). Here you will have access to our newsletters and will always be in the loop for; news, events and updates.

SEND Code of Practice

This section will outline what the SEND Code of Practice is in further detail, with links to the Gov website for further detail.

The SEND Code of Practice 2015 can be overwhelming to look at as it is an enormously in-depth document . But **it gives practical guidance on policies and procedures aimed at enabling children with learning difficulties to reach their full potential.** It covers issues such as inclusion and offers support for children making the successful transition to adulthood. It calls on councils and local health partners to come up with a joint working arrangements which could lead to a joint [education, health and care \(EHC\) plan](#) providing integrated support for children and young people with more complex needs than can be handled by their school alone. There are also changes to allow children and young people to have a budget for their needs.

(Continued over)



SEND Code of Practice (continued)

The aims of the SEND Code of Practice include:

- Children's SEND being picked up early and support routinely being put in place quickly;
- Staff having the knowledge, understanding and skills to provide the right support for children and young people who have SEND or are disabled;
- Parents knowing what they can reasonably expect their local school, college, LA & local services to provide, without having to fight for it;
- Aspirations for children and young people being raised through an increased focus on life outcomes, including employment;
- An integrated assessment and a single Education, Health and Care Plan for children and young people with more complex needs from birth to 25;
- Greater control for parents and young people over the services they and their family use. For Early Years settings, schools and colleges, key points include:
 - Schools/settings having to support children and young people with SEND via 'SEND Support' and the use of a graduated approach; an assess, plan, do, review cycle
 - Schools/settings having to produce and publish online a School SEND Information Report
 - Schools/settings needing to inform parents when pupils receive SEND support, involving them in planning and reviews of progress and meeting with them at least 3 times each year
- Settings, schools and colleges having to admit a child/young person, where the school/college is named in an EHC plan
- Schools having to appoint a suitably qualified or experienced member of staff as SENCO (National Award)
- Early Years settings, schools and colleges needing to develop processes and procedures for ensuring children, young people and parents are engaged in decision making and planning

You can find out more about the SEND Code of Practice by following these link:

[SEND code of practice: 0 to 25 years - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

This is linked throughout the website

[SEND code of practice: 0 to 25 years - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

What is legislation?

This section will outline the definition of legislation, with references to SEND Regulations and Equalities Act.

The Children and Families Act 2014 brought together a number of changes to legislation around services for vulnerable children and young people and families. The changes cover the family justice system, virtual schools for looked after children, adoption, childcare, shared parental leave and flexible working, and services for children and young people with Special Educational Needs and/or Disabilities (SEND). Part 3 of the Act is all about Children and Young People with SEND.

The Act requires education, health and social care agencies to work together more closely than they have in the past. This includes integrated practices in identification and assessment of needs, and integrated planning to meet needs. It also includes joint commissioning of services for children and young people with SEND and their families.

To support a more integrated approach to assessment and care planning for those with the most complex needs, the Act replaced the former statutory assessment process and Statements of SEND, and the former post-16 Learning Difficulty Assessments, with the integrated Education, Health and Care (EHC) needs assessment and Education, Health and Care Plan (EHC Plan). This brings together practitioners from different agencies to contribute to a single assessment of needs and a single plan.

The Act also enforces increased personalisation of services, and introduced personal budgets to give families with an EHC Plan more control over how the funding available to meet their child's needs is spent.

The Act also introduced a requirement for every local authority to publish a 'Local Offer' website of information about services for those aged 0-25 with SEND and their families. This site must also provide a forum for families to give feedback and influence local service developments.

You can find out more about the Children and Families Act by following this link <https://www.legislation.gov.uk/ukpga/2014/6/contents/enacted>

(Continued over)

What is legislation? *(continued)*

The Special Educational Needs and Disability Regulations 2014 are made under the Children and Families Act 2014. The Regulations set out in detail what is required by local authorities for assessing the education, health and care (EHC) needs of children and young people and, where necessary, drawing up EHC plans. These plans join up provision for special educational needs and disabilities across education, health and social care from birth to age 25. The Regulations specify strict time limits to be adhered to by LAs and others involved in the process, including schools. The SEND regulations are legally binding

The SEND (Personal Budgets) Regulations 2014 is a special set of Regulations dealing with Personal budgets and Direct Payments . **The Education Act 1996** sets out to ensure all children in the United Kingdom have access to an education.

The act states that parents and carers must make sure their children of compulsory school age (5 – 16) receive a full-time education. Each child must be educated from the school term after their 5th birthday, until the last Friday in June the year they turn 16 years of age. The education a child receives must be suitable for their age, ability and aptitude, allowing for progression over time.

Section 9 of the Education Act 1996 allows parents or carers to decide on their child's education. The legislation states all children are entitled to a free state education, but a parent may choose to educate at home providing the education given is 'efficient'.

Section 19 of the Act states each local authority must provide a suitable education for children who are not in school due to illness, exclusion or 'otherwise'. The provision must be full-time, unless it has been determined not to be in the child's best interests. This is typically due to their physical or mental health. The provision should be supported regardless of a child having additional needs, hidden or visible disabilities.

The Tribunal Procedure: First -tier Tribunal (Health, Education and Social Care Chamber) Rules 2008 Consolidated version – as in effect from 11 August 2022. This sets out the grounds on which a parent or young person can appeal a decision made by a Local Authority and the procedures to use in making an appeal.

The SEND (First Tier Tribunal Recommendations Power) Regulations 2017. This sets out the SEND Tribunal's powers to make reconditions about health and social care.

The Equality Act 2010 is *the law that bans discrimination (unfair treatment) and helps achieve equal opportunities in the workplace and in wider society.*

The Mainstream Core Standards

This section will outline the Mainstream Core Standards, giving a clear explanation, as well as links to the published document. These pages will include links to the parents version of the Mainstream Core Standards and details about Preparation for adulthood core standards and protocols.

What are Mainstream Core Standards?

https://www.kelsi.org.uk/_data/assets/pdf_file/0004/117256/Special-educational-needs-mainstream-core-standards.pdf

The Mainstream Core Standards document explains what schools (this includes academies and free schools) must do to support children and young people with SEND so that they are included in all aspects of school life (or are as included as they wish to be), make progress and are happy in school. The document has been co-produced with parents, children and young people, schools, specialist teachers, educational psychologists, colleagues from health and the local authority.

All mainstream secondary schools in Kent are committed to the delivery of 'Mainstream Core Standards' which provides a standard whereby children (and their families) who have a special educational need can be confident that they will thrive and be happy in their local mainstream school.

The standards provide a framework which sets out what schools can offer under the following headings:

- Working with children, young people, their families and carers
- Pastoral (how well children are looked after day to day)
- Assessment (how well children's needs are understood)
- Teaching and Learning (what happens in the classroom)
- The Physical and Sensory Environment
- Resources (what resources are available and how are they used to promote independence)
- Staff skills and training
- Transition and transfer (how well children transfer into the next phase as they get older)

(Continued over)

The Mainstream Core Standards *(continued)*

The standards also provide a framework under each 'need type' to support schools and families:

- Communication and Interaction
- Speech, language and communication needs
- Cognition and learning
- Social, emotional and mental health difficulties
- Sensory, physical disability and complex medical needs

There is also a 'family friendly' version of the Mainstream Core Standards:

https://www.kelsi.org.uk/data/assets/pdf_file/0005/117257/Special-educational-needs-mainstream-core-standards-guide-for-parents.

Post 16

Preparation for adulthood core standards and protocols

The preparation for adulthood (PfA) core standards were created to provide guidance for education providers in both mainstream and specialist settings. The standards set out the support available for young people and their families to help in the move from childhood to adult life.

It acts as a guide for things young people can do for themselves during the transition, and what to expect in terms of advice, guidance and support.

The guide applies to young people with additional needs including (but not exclusive to):

- special education needs
- health needs
- disabilities.

To support the core standards and the development of the PfA outcomes, the Department for Education [developed an outcomes tool](#). It explores the key indicators for preparing for adulthood at different ages and stages of development. This tool can be used to support any plans put in place for your young person's independence.

(Continued over)

The Mainstream Core Standards *(continued.)*

Read the standards:

[Preparation for adulthood \(PfA\) core standards](#)
(PDF, 2.4 MB)

Read the protocols:

[Preparing for adulthood protocol](#)
(PDF, 2.1 MB)

[Preparing for adulthood protocol easy read](#)
(PDF, 3.0 MB)

Preparing for adulthood programme:

[Visit the preparing for adulthood website to learn more.](#)



The Local Offer

This section will outline the local offer, as well as provide links to our **SEND Information Hub** where more information and resources can be located to support children, young people and family.

A key resource to help you and your families with all this support and information is our [SEND Information Hub - Kent's Local Offer](#) website . This sets out what support is available for children and young people with special educational needs and disabilities. It also has information about support for parents/carers and siblings. The Local Offer brings together in one place information about health, education and social care for: children and young people from birth to 25 years old who have a special educational need or disability (SEND) and their families and the Children's workforce who are supporting the families

On this website you will also find the Local Directory of services [Local Offer - Search Results | Local Kent Directory](#) for children, young people with SEND and their families. The Directory has hundreds of support groups, charities, and activities across Kent including activities that free and accessible, both face to face and on line.



Graduated Approach



This section will outline the approach the role of education settings, if parents feel their child/ young person has SEND.

If families feel that their child or young person has SEND, the education setting should plan extra learning support for them. The education setting should also talk to families about this support which may include:

- Additional support from a teacher or teaching assistant
- Special classroom materials and equipment
- Observation throughout the day and keeping records
- Support to overcome challenges by finding different ways to engage
- Support with personal care like eating and dressing.

Overtime your education setting will complete a 4 part process called the 'assess, plan, do, review cycle' (the graduated approach) to:

- Develop a greater understanding of your child
- Learn what works well for your child
- Determine how best to support their progress.

[Read the Nasen SEND Support and the Graduated Approach](#) to find out more.

School Readiness

This section will outline School Readiness, as well as indication on how to become 'School Ready'. Kent's Definition:

We agree with and support UNICEF's description of 'School Readiness' which states that three elements together bolster children's likelihood of success

- **Children's readiness** for school affects their learning and development
- **Early Years settings and Schools' readiness** for children ensures learning environments are child friendly and adapt to the diverse needs of young learners and their families
- **Families' readiness** for school promotes a positive and supportive approach to education, their children's learning and the transition from home to school.

It is our belief that it is these three aspects which will maximise each child's likelihood of success as they progress through their time in school. To become 'school ready' **children** need practitioners, parents and families who support them in in opportunities to:

- Play and work co-operatively, learning to accept others' differences, to be resilient and to question.
- Develop their concentration and become deeply involved in activities.
- Develop their knowledge, skills and understanding across all areas of learning.
- Have time to explore their own ideas and interests in depth, to make links and discuss their learning.
- Learn in different ways, at different rates, to recognise that they have learned something new and improved their understanding.
- Follow instructions and responding to questions.
- Initiate activities, showing their own initiative and making decisions.
- Socially, emotionally, and physically secure to enable them to behave appropriately and become confident active learners using all of their senses.
- Play and work independently, at times without close supervision, taking responsibility, for example by caring for their environment.



Pre-Phase Transfer Preparatory Tasks

This section will outline the Pre- Phase Transfer tasks, this section will also go into depths of transition going into depth on the transfer process for children and young people.

The LA will start the transition process in the autumn term of the year before the child or young person moves setting. If the annual review is not due at this point a separate transition review will be undertaken. When discussions on transitioning may have started earlier, the annual review paperwork can state the preferred school if parents have already expressed one.

During these reviews, discussions should take place between the parents and professionals regarding the most appropriate setting for the child's needs. Parents should be supported by their child's current setting's Special Educational Needs Co-Ordinator (SENCO) to have individual conversations with the junior, primary, secondary or Post-16 setting' SENCO or transition lead. Parents/young people will also want to attend open days to understand how that setting can support the needs of their child/themselves.

Most children and young people with EHC plans are educated in Kent mainstream schools settings. Kent is committed to young people attending their local setting and being part of their local community. For a small number of children and young people with more complex needs, more specialist provision may better meet their needs and the type of specialist provision should be discussed at the transition/annual review.

EHCPs and when they are necessary

This section will highlight the detail of the EHC Assessment Process.

An EHC plan is not needed for this support and is often issued only if all other support has been tried and there has been no improvement.

Once a setting/school/college has identified that a CYP has a Special Educational Need or Disability (SEND) the setting must do everything it can to meet a child's/young person's special educational needs and to provide the provision to meet those needs. This is called best endeavours .

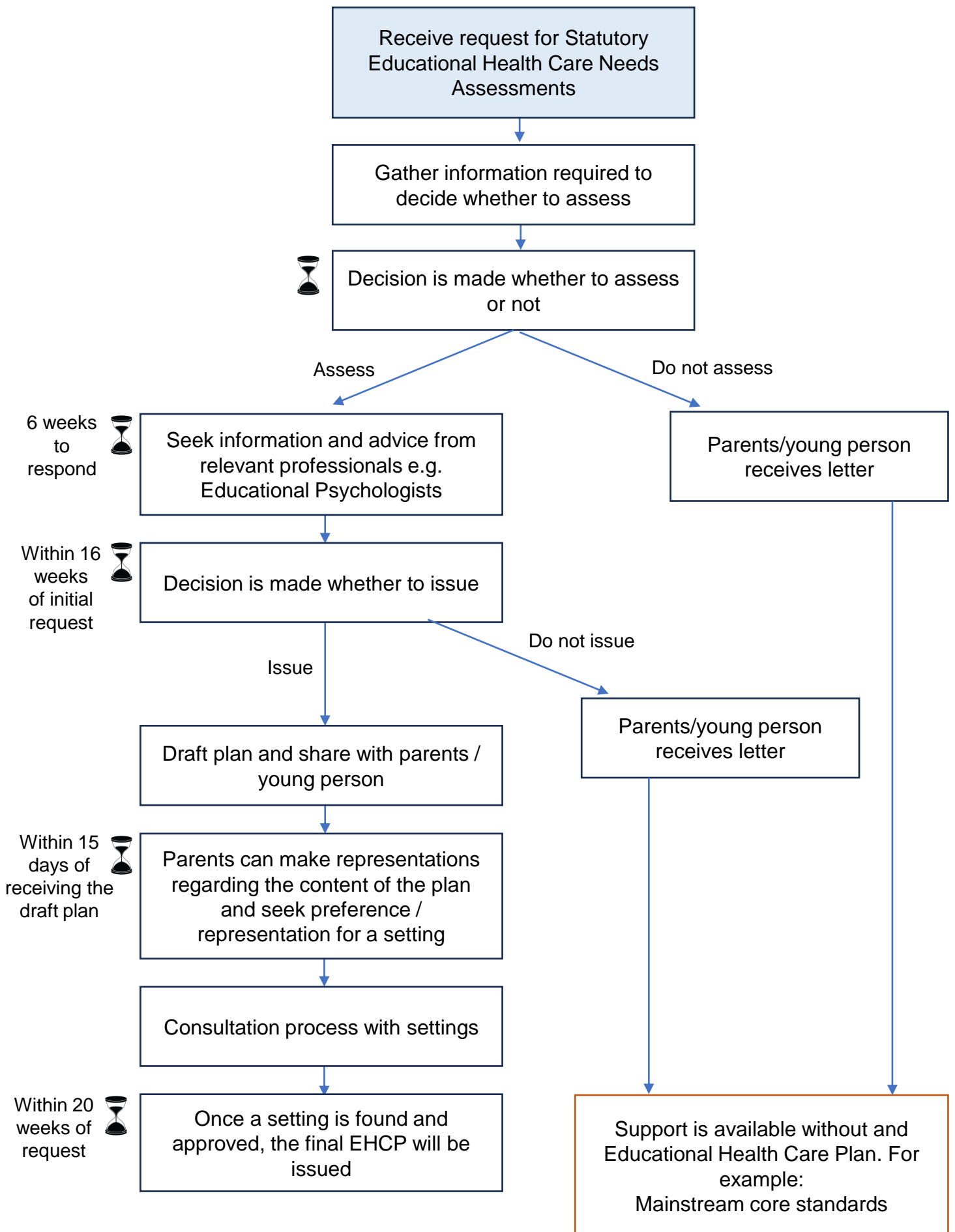
They should use a graduated cycle of assess, plan do and review in order to provide support to meet the child or young person's SEN. This support may include targeted SEN support, and seeking advice from outside agencies including therapies, Educational Psychologists and the Local Inclusion Forum Team (LIFT). Once these avenues have been investigated and the CYP is still not making the progress that would be expected for them it may be necessary for the setting to request that the Local Authority proceeds to decide whether it would be suitable to for them to conduct a statutory assessment – known as an Education Health and Care Needs Assessment (EHCNA).

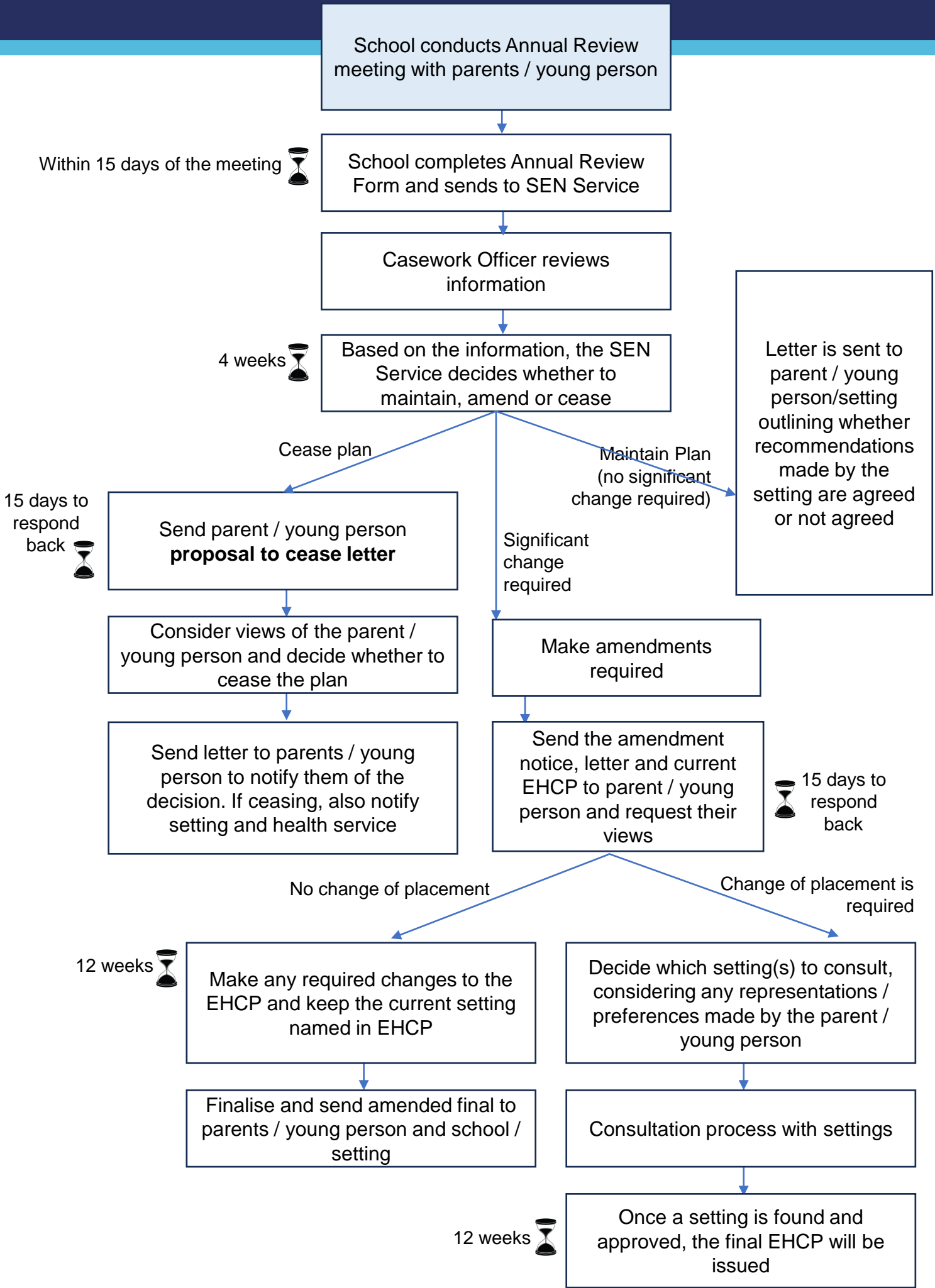
We ask that the education setting completes the request as we require evidence to support the EHC needs assessment.

An EHC needs assessment is conducted by the Local Authority and seeks the views and aspirations of the parent, child or young person and obtains advice and information from the education , health and social care professionals who know and are working with the child or young person. An EHC needs assessment does not always lead to an EHC plan but it will provide more information about the child or young person's needs and the support needed to meet their needs.

The following 2 pages will outline the process:

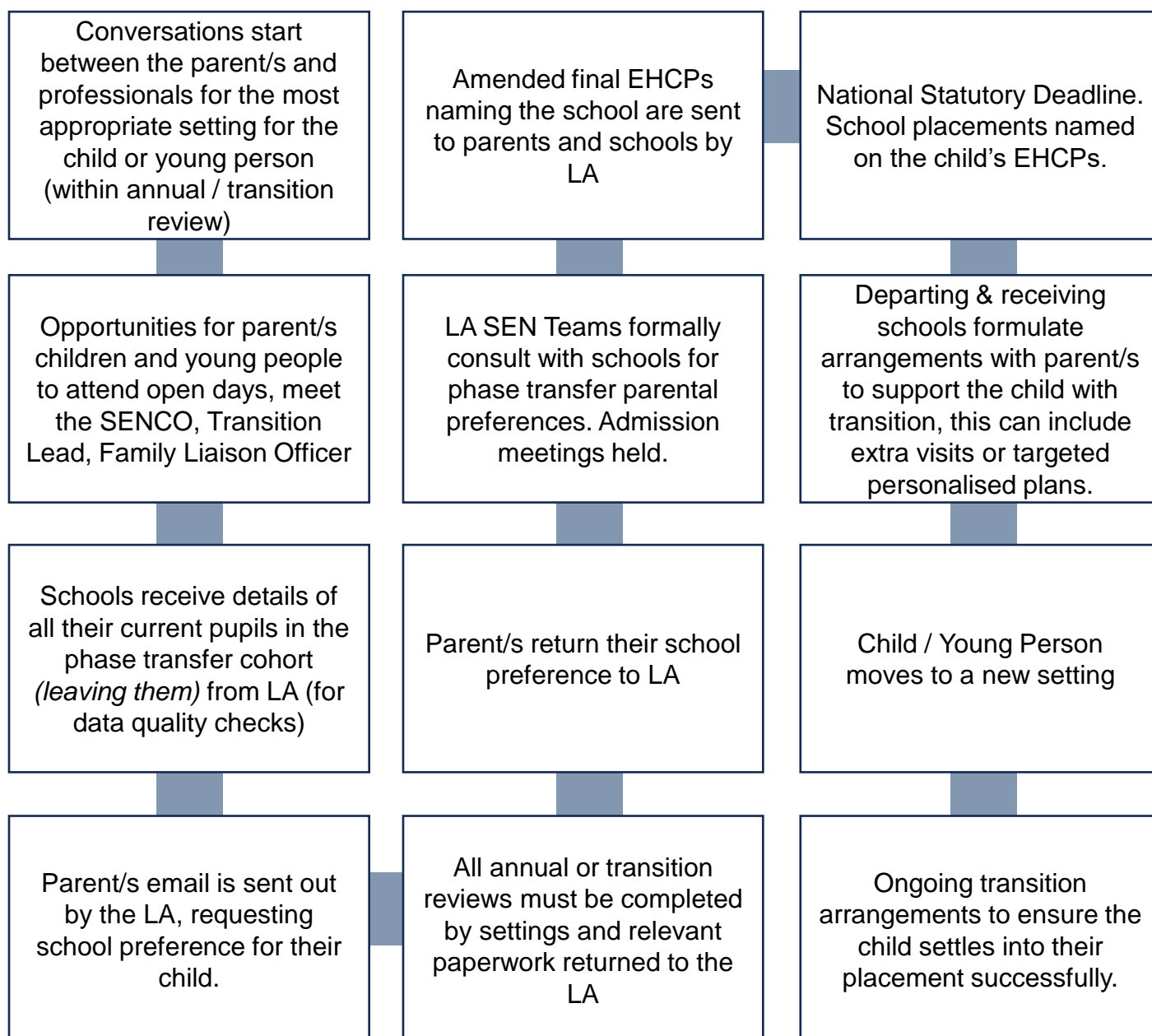






Transition

This Section will highlight the transition process, as well as provide links to provide you with more information regarding Transition



The Transition Charter sets out the responsibilities of the parent/carer, Local Authority and schools. This document exists to ensure that all children are fairly treated and that children and their families have the most positive experience possible to ensure successful transition.

https://www.kelsi.org.uk/data/assets/pdf_file/0005/125375/Kent-Transition-Charter-v5.1.pdf

SRPs = Specialist Resource Provision

This section will outline SRPs and provide links to find further information

‘Resourced provisions are places that are reserved at a mainstream school for pupils with Special Educational Needs (SEN), who are included within the mainstream school and activities, but require a base and/or some specialist facilities.

Resourced provisions:

- have an SRP Lead Teacher with specialist qualification(s) overseeing the provision.
- are commissioned specifically for making this kind of SEND provision; cater for pupils who have SEND with an EHC Plan who may not make progress without the specialist facilities and/or expertise.
- should support pupils with SEND support and EHC Plans through delivering in reach and/or outreach activities.’

KCC commission schools (LA Maintained and schools that are part of an Academy Trust) to provide SRP’s, some schools will be commissioned to have more than one SRP and will enter into either a contract (schools within an Academy Trust) or a Service Level Agreement (LA Maintained schools) with KCC to provide this type of provision. KCC will determine when and where any new SRPs may be needed and will enter into discussions with the appropriate districts for them to decide which school is best placed to provide this service.

The contract/SLA that schools/trusts enter into with KCC are for three academic years, currently all contracts/SLAs are set to be in place from September 2023 to August 2026. The day-to-day monitoring of SRPs is the responsibility of the SEND Support & Inclusion Team (mainstream and post-16).

SRPs = Specialist Resource Provision *(continued)*

SEN Inclusion Advisors will visit each SRP holding school at least once annually across terms 2,3,4 and 5.

The findings from the parent/carer and pupil survey will also be shared as part of the annual reporting to the Education and SEND Management team/

All SRP holding schools will submit a report to KCC to provide information about the running of their SRP(s) twice a year (terms 2 & 6).

The survey will provide children and young people who access support from an SRP to share their views alongside their parents / carers.

Information provided by schools through reports to KCC will be shared annually with the Education and SEND Management Team and will contribute to an annual strategic education report.

KCC will also share a short annual survey with parents / carer of pupils who access support from an SRP to capture their views.



Schemes of Delegation

This section will outline the schemes of delegation, going into detail of which SEND section can authorise decisions dependent on the circumstances.

The Schemes of Delegation lay out who within the SEND service is authorised to make what decisions in what circumstances. They should ensure that the level of authorisation required for a decision is proportional to the importance and impact of that decision. It **does not** aim to describe **how** decisions should be made – just who can authorise them.

The Schemes of Delegation cover the **major decisions relating to individual cases**. There is currently one Scheme of Delegation covering EHC Needs Assessments and one covering Casework. They **do not** cover broader decisions about the SEND service, for example changes to policies or procedures which would continue to be covered by KCC's general policies and procedures.

The major Assessment decisions that are covered are:	The major Casework decisions that are covered are:
<ul style="list-style-type: none"> • Whether to assess • Whether to assess, following further evidence after a 'decision to not assess' • Whether to issue • What type of setting can be consulted with for the 'LA view' • Whether to consult with an independent setting not on the S.41 list • Which setting to name in the EHC plan 	<ul style="list-style-type: none"> • Whether to cease an EHC plan • Whether to maintain or amend the EHC plan • For a potential change of placement: <ul style="list-style-type: none"> ○ What type of setting can be consulted with for the 'LA view' ○ Whether to consult with an independent setting not on the S.41 list ○ Which setting to name in the amended EHC plan

What to Do

This section will outline what parents and carers can do in a range of recurring situations, as well as highlight the route to escalation.

Routes to Escalation:

If you are unhappy with a decision the LA has made about an EHCP you can seek Mediation.

If you are unhappy with the service you receive, you can raise Kent's formal complaints process.

For information on local services and support, seek out the Local Offer at the SEND Information Hub.

If you need independent advice or support dealing with a specific issue, contact IASK.

If your child already has an EHCP and you have a query, first contact the SEND Enquiry Hub.

You will be offered, and are entitled to ask for a meeting or phone call at various stages throughout the process.

If you are still not satisfied, you can appeal through the independent First Tier (Special Needs) Tribunal.

If you have concerns around your child's support, you should first talk to their Teacher or the school's SENCO.

If your child is on the EHC Needs Assessment pathway and you have a query, first contact the SEND Enquiry Hub.

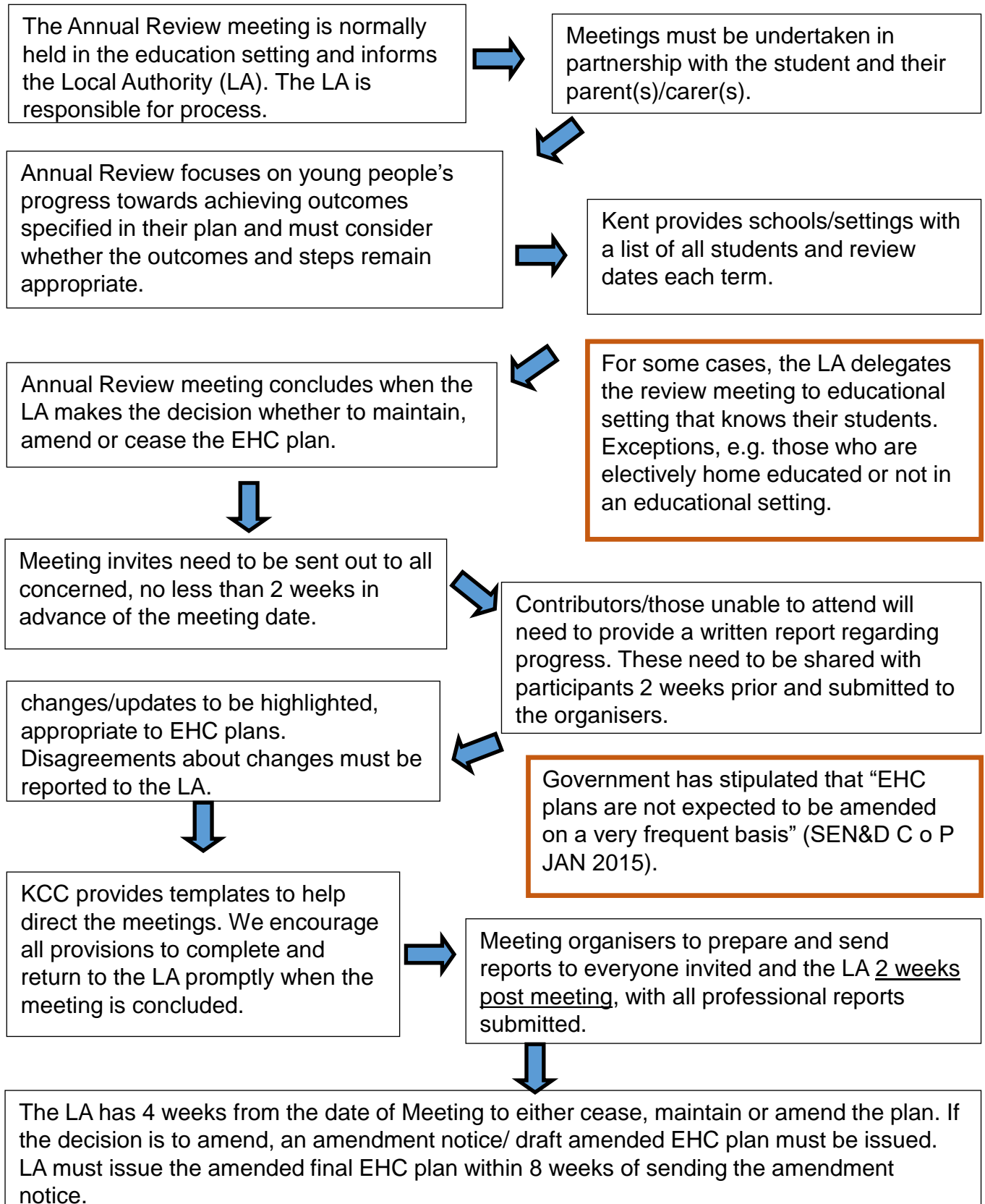
Your child's named Assessment officer may later contact you if the query requires a more detailed response.

Your child's named Casework Officer may later contact you if the query requires a more detailed response.

If all stages of the complaints process have been exhausted and you are still not satisfied, you may approach the LGSCO. Remedies for breaches in Kent's statutory duty may also be addressed through Judicial Review.

Annual Review

This Section will outline the Annual review process for the full process please visit [Annual Review of Education Health Care Plans - KELS!](#)



Panel Meetings

This section will outline information surrounding panel meetings, as well as group members and shared responsibilities.

Decision making Core Groups (0-25)

The SEND Core Group for EY, School Age and Post 16 acts in a decision-making capacity for the Local Authority in relation to undertaking an Education Health Care (EHC) needs assessment and issuing an EHC plan as follows:

- Requests for statutory assessments (RSAs) of education, health, and care needs for early 0 – 25 year-olds.
- Whether a draft EHC plan should be issued.
- Other complex cases.

Group members and their responsibilities

The Core Groups comprise of:

- Chair

Representatives may be from:

- Senior EP
- SEND/Case Officer
- Administrator
- Senior SEND Manager



The SEND Core Groups meet at least weekly according to the number of requests requiring consideration. The meeting will take place virtually (via Teams) and timeslots will be allocated to the 5 areas.

Supporting Health Needs

This section will outline the material available to help support health needs. With further links to our SEND Information Hub.

The health and well being of a child or young person can affect their educational attainment, so it is important that the education provider works closely with the health system to ensure that their outcomes are being met.

Section 100 of the Children and Families Act 2014 places a duty on governing bodies of maintained schools, proprietors of academies and management committees of PRUs to make arrangements for supporting pupils at their school with medical conditions.

Supporting pupils at school with medical conditions- [Supporting pupils with medical conditions at school - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

All children and young people will have access to universal health services, for example GP's, health visitors and school nurses but depending on the health needs of the child or young person and the care they require, a number of different professionals may need to be involved ie. paediatricians, community children's nurses, allied health professionals, mental health professionals and psychologists.

See the link below to the Kent SEND Information Hub for further details:

[Health and wellbeing support for children and young people with SEND - Kent County Council](#)





Children Missing Education

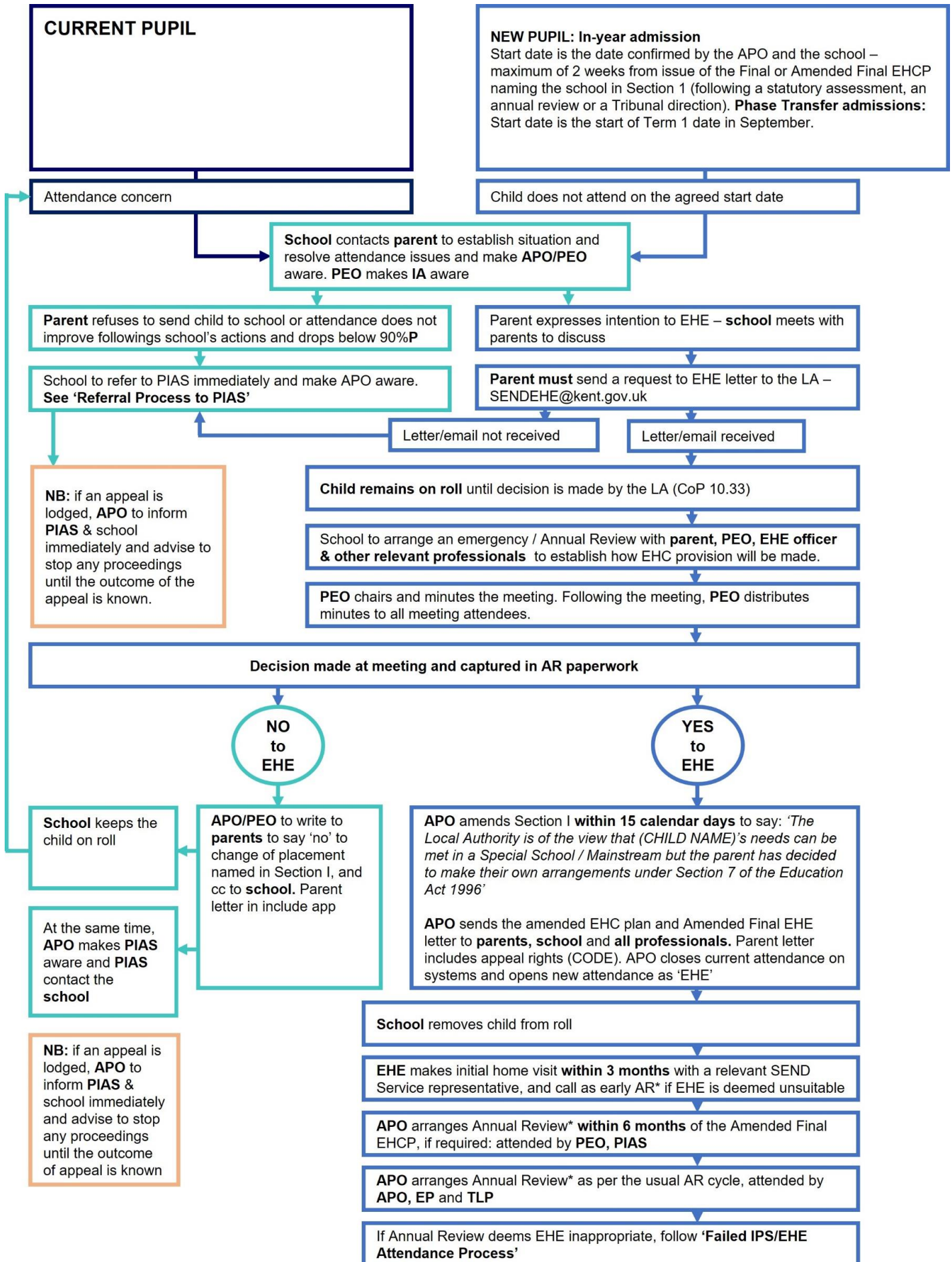
This section will outline the process flow map for when children and young people miss days out of their education.

There can be many reasons as to why children and young people may miss parts of their education. Whether it be because of their disabilities affecting their abilities to participate or mental health, parents and carers will be provided with a route for what do if a situation occurs.

The process flow map can be located on the next page. However for further information on the Law relating to Elective Home Education, there is further information within the KCC EHE Policy on Page 12 of the [Home Education Policy](#).

The following page will outline the process of attendance management and EHE guidance for children with EHCP's.

Attendance Management and EHE Guidance for Children with EHCPs



*See 'EHE/EOTAS AR = Operational Guidance for APOs'

SEND Transportation

This section will outline the details of transportation for children with SEND.

Home to school travel for Pupils with and EHCP

Children of statutory school age

Legal framework

Home to school travel and transport guidance, DfE, July 2014 (this is subject to a consultation exercise, which has yet result in new guidance. But please note that there are no changes in the law. The new guidance is intended to clarify LA duties)

Transport costs for children and young people with EHC plans, SEND Code of practice, page 206 – 207, s. 9.214 – 9.217

Staffordshire County Council v JM [2016] UKUT 0246 (AAC) – judgment setting out that transport is non-educational provision.

Home to School Travel Policy currently under consultation for implementation in 2024 academic year. [Parental guidance](#) is de facto policy until then.

LA duties are:

- To promote the use of sustainable travel and transport
- Make transport arrangement for all eligible children

Parents/guardians/carers have a duty to ensure that their child attends school and, if necessary, is accompanied to school by a responsible adult.

Most distances are measured on a shortest walking route. However, routes over 6 miles are measured by shortest driving route.

Specific travel arrangements will NOT be written into an EHC plan unless there are exceptional circumstances, such as a child needing specific medical support (e.g. vehicle to support the use of oxygen with nursing support)

Travel costs are from the public purse and must be included in a tribunal cost schedule. They must also be considered when making decisions about appropriate placement costs (known as the Dudley Test – see appendix).

Home to school travel arrangements can only be considered if the child is attending their nearest appropriate school. This is the school named in a child's EHCP, so it is imperative that Section I includes written confirmation of the child's nearest school as well if they attend an alternative.

The nearest school to a child's home is not necessarily the nearest preferred school. This means that a mainstream appropriate child would not gain transport to a grammar school if this is not also their nearest school (with the exception of low income criteria outlined below). Similarly, special appropriate children will only gain transport to the nearest special school to their home that support their need, not to any school of their preference.

Transport teams can be flexible with arrangements, which must only be suitable (i.e. not the most suitable).

Transport is non-educational provision and cannot be appealed to Tribunal – any appeals about our in-house decisions are managed by the Transport Eligibility Team in CYPE. Decisions relating to implementation are then made by the Client Transport Team in GET.

A Personal Transport Budget (PTB), which is a cash sum, can be provided directly to parents or guardians. With a PTB, families have the flexibility to choose the best way for their child to get to and from school or college, considering both the child's needs and the family's preferences. This allows for alternative options and a more comfortable travel experience for the student.

Decisions about entitlement

All decisions regarding the eligibility for home to school transport are made by the Transport Eligibility Team. Officers will make their decision in accordance with the DfE statutory guidance listed above (pages 10 – 15) taking account of the information contained within the EHC plan/ Last annual review. SEND Officers are responsible for providing this information to Transport Eligibility by completing a Transport Information Form (TIF) on Synergy.

The key areas to support decisions are as follows:

- Distance and nearest suitable school
- SEND/Disability and accompaniment
- Route safety
- Extended rights (such as low income criteria, which includes attending nearest faith or grammar school)

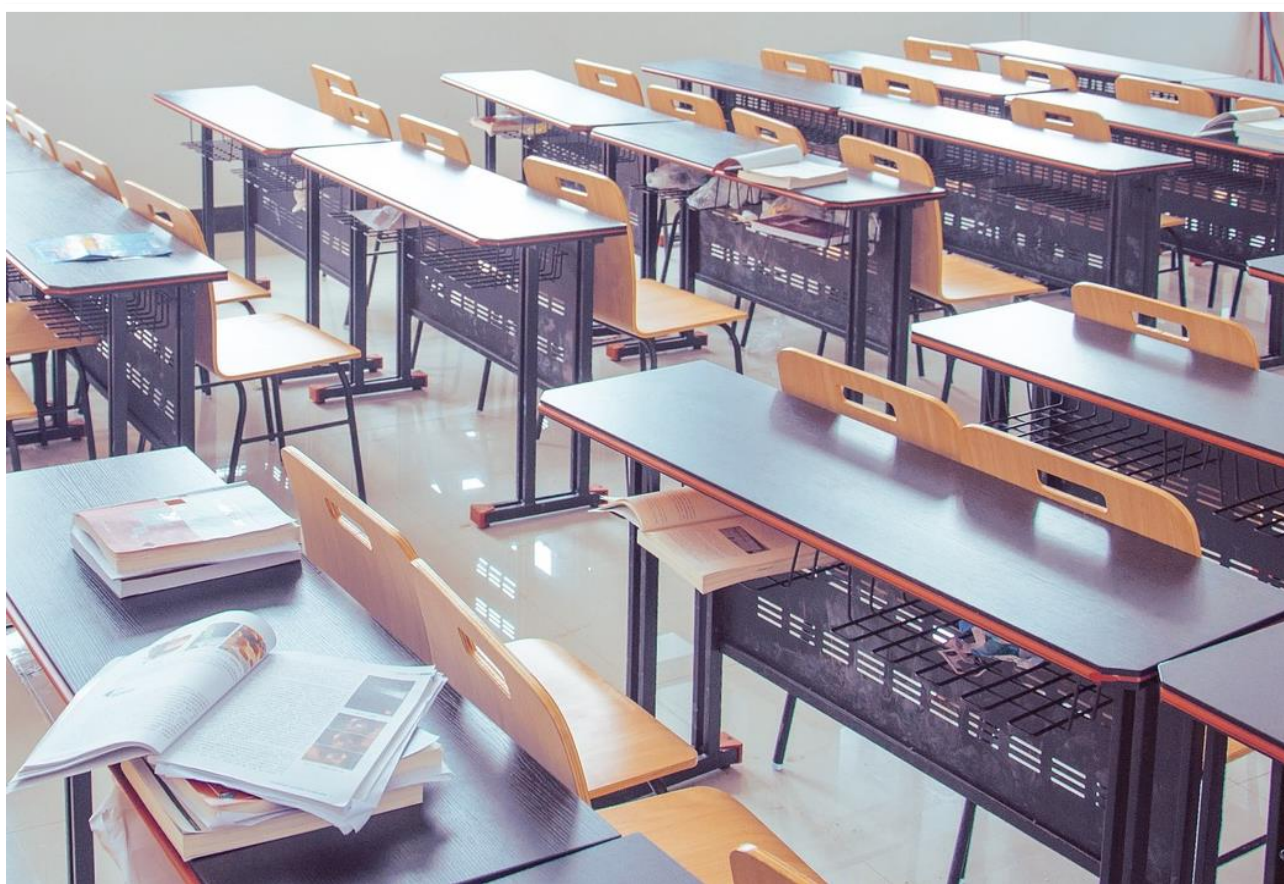
Young people over statutory school age (i.e. post-16 students/trainees (aged 16 – 18) and adults aged 19 – 25)

The legislation for determining travel entitlement for young people over the age of 16 is different from the statutory school age framework and decisions for students of sixth form age and young adults aged 19 – 25 are made by the Education Transport Team. They may liaise with us, if they need advice from us about distance (i.e. nearest suitable setting) and SEND (as set out in EHC plan/advice).

The Court of Appeal set out the test that LAs should apply when determining whether or not they were obliged to pay for transport to a parent's choice of school:

1. First it should be established whether both schools are in fact suitable, and whether arrangements could be made for the child to attend the LA's choice of school (i.e. a place is available). If the LA's choice is not suitable, or there is no place available, then the parent's choice is the nearest suitable school.
2. If both schools are suitable, the cost of providing transport to both should be established and taken into account when considering whether the parent's choice is incompatible with the efficient use of resources.
3. Only if the total cost of the parent's choice of school compared to the LA's choice of school (including transport) is so significant as to represent an inefficient use of resources, then the LA can name two schools, with the condition the parents provide transport to the their choice of school.

Transport costs can be calculated using the following pricing matrix located in the appendix.



SEND Support Services

Click the boxes provided below to access information and advice offered to children and young people with SEND.

NELFT

Providing an extensive range of integrated community and mental health services for people.

Kelsi

An online resource for education professionals in Kent. Provided by Kent County Council.

IASK- Information and advice Kent

A group of impartial, non-biased representatives, here to support families with moving processes forward for children and young people up to age 25.

KENT PACT

Kent PACT is a parent carer forum set up for parents of children and young adults with disabilities and additional needs.

County and National Services Support
Provides a directory of services and support across Kent for children and young people.

KENT CHOICES

Website directory to allow for browsing of courses, 6th forms and colleges.

Early help (Support for Families)

Providing services that can be accessed at a time and place that suits families to help them to do well, stay safe and resolve problems at the earliest possible opportunity, before they become more serious.

Kent Medical Health

List of available medical services in Kent.

Specialist Employment Services

Providing a range of services to support individuals to gain and sustain paid employment.

For more information on further services our SEND Support hub linked with the KCC official website.



Best Practice Guidance

This section will outline the best practice guidance, as well as give examples and provide case studies.

Early Years

Best Practice Guidance for the Early Years (BPG) has been developed by professionals within Kent to offer advice and guidance to Early Years practitioners in supporting all children, including those with Special Educational Needs and/or Disabilities (SEND), to achieve their potential.

The document has two purposes:

- The opportunity to evaluate inclusive practice in general
- The identification of specific strategies that can be used to support individual children or groups of children.

The BPG is for all early years providers and practitioners working with young children. The document provides an overview of the underpinning knowledge and understanding required to meet the needs of all children at universal, targeted and personalised levels.

Schools

Refer to **Mainstream Core Standards**

Post 16

Refer to **Preparation for Adulthood** under **Mainstream Core Standards**

For more information about Best Practice Guidance, please visit [Best Practice Guidance \(BPG\) for the Early Years - KELS!](#)

The boxes on the following two pages highlight example case studies:

CP has a unilateral severe sensori neural hearing loss and attends a mainstream primary school.

CP was in Y5 when she was diagnosed with a unilateral, single sided, hearing loss in her right ear. The SENCO discussed the Mainstream Core Standards for Hearing Impairment with staff who work with them. They followed the strategies which supported CP well. Being a Y5 learner she was able to explain which strategies worked well for her and staff encouraged her to advocate for herself.

JL has bilateral profound sensory neural hearing loss attends mainstream infants school.

When JL started YR the Specialist Teacher for Hearing Impairment supported his transition from nursery to school, having knowing them since referral by the New Born Hearing Screening Program. School wide Deaf Awareness training was delivered and the staff working with JL were given bespoke training and strategies for teaching and learning. School then applied for HNF and appointed an appropriately qualified Communication Support Worker, who worked closely with the Specialist Teacher for Hearing Impairment and the Specialist Speech and Language Therapist for Hearing Impairment.

SW has a bilateral moderate sensori neural hearing loss and attends a mainstream primary school.

SW's school were unsure how to meet his hearing needs when he was diagnosed in YR. They made a referral to the STLS Sensory and Physical Service.

As a result of the referral, the Specialist Teacher for Hearing impairment recommended that the staff and SENCO monitor the use of the Mainstream Core Standards strategies and how these support the learner along with Quality First teaching. The Specialist Teacher visits the school termly to observe practice and make recommendations, to support the school to monitor progress and to support use of personal amplification and Assistive Listening Devices.

Complex Medical Needs Scenario:

A nursery has a child starting soon with Cystic Fibrosis. PD STLS help to unpack next steps with the nursery at the discussion stage. PD STLS shared more information about the condition, how it can present and signposting to the Cystic Fibrosis/Community nurse. The nursery was directed to our 'care planning and risk assessment' training to better understand how to safely welcome a child with medical needs. The child is now able to take appropriate risk, guided by health; and integrate with peers. The reasonable adjustments included: access to handwashing, regular cleaning of outdoor tuff trays, access to medications and modifications to school dinners amongst more bespoke aspects related to how her diagnosis can present. PD STLS support alongside a full understanding of the mainstream core standards meant the child's needs could be fully met.

Complex Physical Disability Scenario: A student with 4 limb Cerebral Palsy.

Schools and settings will have an Accessibility Plan that means all pupils access will have been considered as part of their Anticipatory Duty. Alongside our health professionals we considered which equipment might be needed for a pupil to access education. For this child, we agreed a standing frame for infant school, so the pupil could be at a similar height to peers and engage in reciprocal play. Supporting the school with drawing up a physical management plan, risk assessment, Personal Emergency Evacuation Plan and Intimate Care Plan enabled the pupil to safely start and for staff to feel confident. Worked with SENDCos to consider how physiotherapy and occupational therapy might be woven into the school day. The school also attended Moving and Handling training to enhance their confidence.

PD STLS also considered access to the curriculum via classroom observations. E.g. are the maths manipulatives accessible? How do we successfully adapt PE to include a wheelchair user and enable aspirational outcomes? What is the best technology to use where handwriting is not appropriate? As the pupil matured, PD STLS worked carefully with the SENDCo to set targets that enabled inclusion, worked with the pupil directly to capture their views. PD STLS support revisited to consider accessibility of the secondary site, the training and paperwork needed in the new environment and then worked with the school on access arrangements to enable full participation across the full curriculum.

Policies and Procedures

This section will outline the SEND Policies and Procedures within KCC. Links below will

direct you to our Send Strategy, Transformation plans and Budgets for SEND.

[SEND strategies and policies - Kent County Council](#)

[SEND strategy](#)

Improving the outcomes of children with special educational needs or disabilities.

The aim of the SEND strategy is to improve the educational, health and emotional wellbeing outcomes for all of Kent's children and young people with special educational needs and those who are disabled.

Read our SEND strategy:

- [SEND strategy 2021 to 2024 \(PDF, 2.6 MB\)](#)
- [SEND strategy 2021 to 2024 \(PDF, 327.1 KB\) \(easy read\)](#)
- [Watch our BSL video explaining the SEND strategy 2021 to 2024](#)

See also:

- [SEND information hub](#) (local offer)
- [Strategy for Adults with Autism in Kent](#)
- [Transforming Health and Social Care in Kent and Medway](#)
- [Transforming care plans](#)
- [Kent Transformation Plan for Children and Young People](#)

Read our personal budget policy:

[Personal budgets policy for special educational needs and disabilities \(PDF, 163.1 KB\)](#)

Support for young people released from custody:

If someone has been released from custody, there is plenty of support available to help them to get back into their local community safely. Our youth justice team have put together a guide to explain the custody process, and a list of contact details for our teams.

[Read our youth justice operational guide.](#)

Glossary

We also understand that the language of special educational needs can be difficult to understand. Information, Advice and Support Kent (IASK) have put together a [jargon buster](#) so you can see all the common words and abbreviations you may come across in one place and refer back to it when you need to.



Appendix

School Transportation

Cost Calculation Matrix:

The below Matrix is a tool to calculate the estimated cost of Home to School Transport for any pupil on an individual basis. This matrix will remove the need for placement or equivalent officers to request specific costings from the Public Transport department. Cases going through tribunal (the tribunal team) shall not follow this process, please refer requests directly to the Client Transport Manager for completion.

How to use:

* The below mileage bands are based on two trips per day and you should use the shortest available driving routes.

Example; 4 miles to school and 4 miles home= 8 miles per day. This will fall in band 0-9 miles at £81.00 per day.

Example 2: Vehicle with a passenger assistant required and the route travels 4 miles to school and 4 miles home= 8 miles per day, this will fall into band 0-9 miles on the right hand side of the matrix at £137.00 per day.

Example 3: Vehicle requiring wheelchair access and the route travels 8 miles to school and 8 miles home= 16 miles per day, this will fall into band 10-19 miles at £150.00 per day. ** Mileages can be sourced by using route planning tools online i.e google maps or bing maps.

NOTE: A wheelchair accessible vehicle rate should only be applied for clients who MUST travel in their wheelchair. Those who can transfer, typically with a collapsible wheelchair, will fall under "saloon car" bandings.

The cost matrix presented below is calculated using averages and a formula based on actuals for financial period 2022-2023, and therefore may not be reflective of prices following a tender process.

Transport costing matrix												
	Mileage bandings						Mileage bandings if a passenger assistant is required					
	0-9 Miles	10-19 Miles	20-29 Miles	30-39 Miles	40 - 49 Miles	50-59 miles	0-9 Miles	10-19 Miles	20-29 Miles	30-39 Miles	40 - 49 Miles	50-59 miles
Price per day for a saloon car (4 seats)	£81.00	£105.00	£120.00	£143.00	£154.00	£168.00	£137.00	£145.00	£157.00	£183.00	£205.00	£228.00
Price per day for a Wheelchair accessible vehicle	£117.00	£150.00	£190.00	£200.00	£225.00	£240.00	£157.00	£170.00	£199.00	£227.00	£257.00	£269.00

School Transportation *(continued)*

School Transportation Letter Template:

The following wording should be used:

Mr & Mrs [xxx] expressed a preference for [insert name of child] to attend the above school. The LA accepts this school would be suitable. However, it is not the nearest suitable and the LA considers it would be incompatible with the efficient use of its resources, if it had to provide or fund home to school transport to this school. That being so, the LA has agreed to name the school on the express condition that Mr & Mrs [xxx] accept and continue to accept liability for arranging and funding home to school transport. Mr & Mrs [xxx] accept that if for any reason they are no longer willing or able to do so, then a place may no longer be available at the nearest suitable school, namely [insert nearest appropriate setting]. As a place was available at the nearest school at the point the placement decision was finalised, a lack of future availability would not materially change which school the LA considers the nearest school for transport purposes.