

SEND PARTNERSHIP SERVICE

Special Educational Needs & Disability (SEND)
Impartial Information, Advice and Support
Service for Bath & North East Somerset



Helpline: 01225 394382
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Term time only

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CHECKING YOUR DRAFT PLAN

Your final plan is a legally binding document and the provision on it must be provided

There should be clear and direct links through the **aspirations, needs, outcomes** and **provision** (see Glossary at the end of this Factsheet for the definition of these terms). This is sometimes referred to as a Golden Thread.

This can be achieved by thinking about **outcomes** as steps on the journey towards the aspirations.

Outcomes should support **Aspirations** and set High Expectations. See the Council for Disabled Children (CDC) sheet Developing **Outcomes** in Education, Health and Care Plans on our webpage at www.bathnes.gov.uk/sps. At the end of this factsheet you will find a template to use. A selection of different coloured highlighters may help you to differentiate between **needs, provision** and **outcomes**.

You can also request an **Independent Supporter** to help you from either SEND Partnership Service or Off The Record.

The Special Educational Needs and Disabilities Code of Practice 2014 (CoP) in Chapter Nine explains Education, Health and **Needs** assessments and plans. This can be viewed at www.gov.uk/government/publications/send-code-of-practice-0-to-25.

Step One - Reports

- Go through the reports and highlight each need.
- Check that these cover **all** your child's **needs**.
- You may find it useful to put these **needs** onto the CDC sheet.
- Repeat with **outcomes**. Remember an outcome is the benefit or difference made to an individual as a result of an intervention. It should be personal and not expressed from

a service perspective (CoP page 163) **Outcomes** should be SMART: Specific, Measurable, Achievable, Realistic and Time Bound (CoP page 163)

- Go through the reports and, using a different colour, highlight all the **provision**. EHC plans must specify the special educational **provision** to meet each of the child's special educational **needs** (CoP page 164)
- Every need and outcome should have corresponding **provision**. Again you may find it helpful to use the CDC sheet to match them up.
- **Provision** should be detailed, specific and normally quantified, in terms of type, hours and frequency of support and level of expertise, including where this support is secured through a personal budget (CoP page 166)
- Be clear about the help. To be clear about what your child's help will amount to on a typical day at school, ask yourself the following:
 - What type of help my child will get? e.g. equipment, learning support, teaching programme, speech therapy.
 - Who will give the help?
 - Do they need particular qualifications or experience?
 - How many hours of extra help are there?
 - How often will the help happen?
 - Is help for playtimes and lunchtimes included where necessary?
 - Will your child get help for self-care if needed e.g. around eating or continence?
 - What teaching strategies will staff use?
 - Will teaching be one to one or in small groups?
 - If teaching is in groups, how big will they be?

 - Make a note of any gaps, anything that is unclear or anything you do not agree with or understand.
- Beware of 'weasel' words. The plan should avoid words such as:
 - access to...
 - regular help...
 - help as required...
 - where necessary...
 - periodic...
 - opportunities for...

 - It's very important that the EHC Plan says how much help your child will get and how often.
 - Words like those above leave it up to someone else to decide, so your child may not get the help they need.
- If there is no specification or quantification you can contact the report author and ask for them to include this. If they are unsure ask for a minimum amount. If you do this by email you can copy in your **SEND Practitioner**, formerly known as a Case Officer. If by phone it is a good idea to let your **SEND Practitioner** know.

Step Two - The Draft Plan

- Once you have table or list with **needs, outcomes** and **provision** check that all of these have been included in the draft plan.
- If your child or young person had a statement and is transferring to an EHCP check that anything in parts 2 and 3 of the statement that is still relevant is in the draft EHCP.
- If you have any queries contact your **SEND Practitioner** for clarification.
- You may find it helpful to email any questions or to follow up phone calls with emails.
- If you are happy with the draft let the **SEND Practitioner** know.
- If you are not happy send your requested amendments to the **SEND Practitioner**

Step Three - Naming a School

- Your draft plan should not have a school or setting named on it. Once you have agreed the plan contents you ask the **SEND Practitioner** to consult with the school or setting of your choice on whether they can meet your child's **needs** based on the plan.
- There are a limited number of reasons that a school can use to refuse a place to a pupil. These are set out in law in section 39(4) of the Children and Families Act 2014, please see <http://www.legislation.gov.uk/ukpga/2014/6/section/39/enacted>
- If the Local Authority does not agree with a school's reasons for refusing a place they can direct the school to take the child and will name that placement on the final plan.

Next Steps

- If you and the **SEND Practitioner** cannot agree on changes you can request a meeting with a Senior Inclusion Officer.
- If you cannot agree on a final draft with the Local Authority once the plan is finalised you can go to Tribunal only over sections B, F and I.
- You must consider mediation before any appeals to Tribunal except when the appeal is about Section I (school place) only.
- **Independent Supporters** cannot assist with appeals but SEND Partnership Service as an Information, Advice and Support Service can and the case officers have received Tribunal training via IPSEA.

Useful Webpages

SEND Partnership Service

www.bathnes.gov.uk/sps

SEND Code of Practice

www.gov.uk/government/publications/send-code-of-practice-0-to-25

Glossary

Aspiration

A goal or objective that is strongly desired. These are usually long term goals. The Local Authority cannot be held responsible for ensuring that aspirations are achieved. A child or young person's aspirations may change as they get older.

Outcomes

Section 9.66 of the SEND Code of Practice says: An outcome can be defined as the benefit or difference made to an individual as a result of an intervention. It should be personal and not expressed from a service perspective; it should be something that those involved have control and influence over, and while it does not always have to be formal or accredited, it should be specific, measurable, achievable, realistic and time bound (SMART). When an outcome is focused on education or training, it will describe what the expected benefit will be to the individual as a result of the educational or training intervention provided.

Provision

Provision that is additional to or different from that made generally for other children of the same age (CoP page 16). Detailed, specific and normally quantified, in terms of type, hours and frequency of support and level of expertise, including where this support is secured through a personal budget (CoP page 166)

Needs

A child has special educational **needs** if they have a learning difficulty or disability, which calls for special educational **provision** to be made for him or her (CoP page 15). Children with special educational **needs** all have learning difficulties or disabilities that make it harder for them to learn than most children of the same age. These children may need extra or different help from that given to other children of the same age.

Independent Supporter

A person recruited by the local Information, Advice and Support Service or a voluntary or community sector organisation to help families going through an EHC **needs** assessment and the process of developing an EHC plan. This person will receive training, including legal training, to enable him or her to provide this support.

SEND Practitioner

The Local Authority officer responsible for overseeing your assessment, collating the information from professionals, and creating your draft plan.

We have made all reasonable efforts to ensure that the information contained in this leaflet is accurate and up to date at the time of publication. It does not constitute legal advice and the SEND Partnership Service cannot accept any responsibility for any loss or damage suffered as a consequence of any reliance placed upon it.

This document can be made available in a range of community languages, large print, Braille, on tape, electronic and accessible formats.

Delivering Outcomes in EHC Plans

Aspirations (EHC Section A)	Needs (EHC Sections B, C & D)	Outcomes (EHC Section E)	Provision (EHC Sections F, G, H1 & H2)