# Special Educational Needs & Disability (SEND) reform in B&NES – transfer (transition) plan for Statements of SEN and Learning Difficulty Assessments (LDAs) to Education, Health & Care (EHC) Plans

### What is this plan about?

This document sets out the local (B&NES) arrangements for transition from statements of Special Educational Needs (SEN) and Learning Difficulty Assessments (LDAs) to Education health & Care (EHC) Plans.

The transfer plan is in line with current information about government requirements. The plan balances a number of factors, in particular:

* Achieving good quality EHC plans for all children and young people who need them
* Ensuring children and young people benefit from new ways of working in Special Educational Needs & Disability (SEND) reform as soon as possible
* Meeting the requirements of government guidance on transitional arrangements and EHC needs assessments
* Minimising the disruption for schools and burden for families in scheduling transfer reviews/EHC needs assessments
* Maximising the positive impact on outcomes for each individual child and young people of the capacity and expertise in the SEN Team, schools and other services in scheduling transfer reviews/EHC needs assessments.

Our overall aim is to improve life chances and outcomes for disabled children and young people and those with SEN in B&NES, in line with the B&NES principles for SEND reform (set out in our local offer – [www.bathnes.gov.uk/localoffer](http://www.bathnes.gov.uk/localoffer)). We will take the time necessary to carry out the best possible EHC needs assessment and planning process for each individual child and young person while adopting and promoting the principles and key elements of good practice for all children and young people as soon as possible.

This plan is a working document and we welcome comments and questions about it at any stage – email [SENDinof@bathnes.gov.uk](mailto:SENDinof@bathnes.gov.uk). This is the second version of the transfer plan, which has been updated in the light of experience and feedback to date.

*What does it all mean? For a key to some of the language used in this plan please see page 8. For more information about SEND reform and the changes that are being made, there are some links on pages 6 and 7 to webpages with more information and contact details to ask any questions you may have as well as giving us your comments.*

### Statutory assessments & LDAs started before 1st Sept 2014

Statutory assessments for SEN started before the law changed on 1st Sept 2014 are being or have been completed under the existing legal framework, and lead to a statement of SEN if required. These statements of SEN will then be considered for transfer to EHC plans in accordance with this transfer plan.

The previous framework for LDAs continued until 1st Sept 2014 and LDAs started or carried out before that date will be/have been completed and will be considered for transfer to an EHC Plan in accordance with this transfer plan.

### Statutory assessments and reviews from 1st Sept 2014 – EHC needs assessments

| **Year group on 1st Sept 2014** | **Transfer review in academic year** | **Sept 2014 – Aug 2015** | **Sept 2015 – Aug 2016** | **Sept 2016 – Aug 2017** | **Sept 2017 – April 2018** |
| --- | --- | --- | --- | --- | --- |
| **Pre-school** | | Transfer review | EHC Plan annual review | EHC Plan annual review | EHC Plan annual review |
| **Reception** | | Statement annual review | Statement annual review | Transfer review | EHC Plan annual review |
| **Key stage 1 year 1** | | Statement annual review | Transfer review | EHC Plan annual review | EHC Plan annual review |
| **2** | | Transfer review | EHC Plan annual review | EHC Plan annual review | EHC Plan annual review |
| **Key stage 2 year 3** | | Statement annual review | Statement annual review | Statement annual review | Transfer review |
| **4** | | Statement annual review | Statement annual review | Transfer review | EHC Plan annual review |
| **5** | | Statement annual review | Transfer review | EHC Plan annual review | EHC Plan annual review |
| **6** | | Transfer review | EHC Plan annual review | EHC Plan annual review | EHC Plan annual review |
| **Key stage 3 year 7** | | Statement annual review | Statement annual review | Transfer review | EHC Plan annual review |
| **8** | | Statement annual review | Transfer review | EHC Plan annual review | EHC Plan annual review |
| **9** | | Transfer review | EHC Plan annual review | EHC Plan annual review | EHC Plan annual review |
| **Key stage 4 year 10** | | Statement annual review | Transfer review | EHC Plan annual review | EHC Plan annual review |
| **11** | | Transfer review | EHC Plan annual review | EHC Plan annual review | EHC Plan annual review |
| **year 12** | | Transfer review | EHC Plan annual review | EHC Plan annual review | EHC Plan annual review |
| **13 or above** | | Transfer review | EHC Plan annual review | EHC Plan annual review | EHC Plan annual review |

From 1st Sept 2014 all new statutory assessments for SEN will be carried out within the new legal framework as education, health and care (EHC) needs assessments and will lead to an EHC Plan if required.

From 1st Sept 2014 no new LDAs will be started. Annual reviews of statements in year 11 will consider whether or not the statement needs to continue as an EHC Plan. Requests for statutory assessment for SEN (EHC needs assessment) may be made for young people with no statement of SEN up to age 25 if it is considered likely they need the support of an EHC Plan.

### Transfer schedule for statements of SEN

The government has set a deadline of April 2018 for all statements to be considered for transfer to EHC Plans. It is proposed that transfer from a statement to an EHC Plan will be considered prior to key stage transitions, i.e. for children or young people in academic years 2, 6, 9, 11 and 13 as follows:

The schedule shows when we propose to carry out transfer reviews for children and young people according to their year group in their education setting. Reviews are colour coded – red for annual reviews of statements under the existing legal framework, orange for transfer reviews and green for annual reviews of EHC Plans in the new legal framework.

The SEN Team will liaise with education settings about individual arrangements for transfer reviews and detailed arrangements and questions about them should be directed to the team. The team can be contacted on **01225 394306, or email** [Special\_EducationalNeeds@bathnes.gov.uk](mailto:Special_EducationalNeeds@bathnes.gov.uk).

### Statement annual reviews from 1st September

It is proposed that the existing arrangements for annual reviews of statements will continue as previously with the following changes:

The paperwork for annual review of statements has not been changed, however as previously we welcome reviews that are carried out in a person-centred way and propose updates to the statement based on this rather the slavishly following the paperwork.

Education settings and others involved in annual reviews are asked to work to the following principles:

* Review processes and meetings should be carried out in a person centred way
* Every child or young person with a statement, LDA or EHC Plan and their parents should be supported to draw up a good quality, holistic one page profile
* The team around the child/young person should be clearly identified and roles in supporting the young person and their family clearly agreed
* The lead professional, and key person in the education settings if this person is not the lead professional, should be clearly identified
* A single SEND support plan should be considered to bring together all of the support plans for the child/young person into a single, holistic, outcome focused plan if this would be beneficial to the child/young person. We have proposed a model SEND support plan – this is not a format to be slavishly followed but can be adapted and personalised to the needs and circumstances of the child/young person, their family and the settings and services working with them.

By working in this way all children and young people can start to benefit from the new ways of working in SEND reform before their scheduled transfer review, and the transfer review process will be more straightforward when it takes place.

### Transfer reviews

The transfer review process is the process whereby a statement or LDA is considered for transfer to an EHC Plan. This process is an EHC needs assessment and will build on the existing annual review process in B&NES.

Schools should schedule annual review dates as at present. The SEND lead practitioner, lead professional (and key person in school if not the lead professional) should liaise 6 weeks before the scheduled review date to plan the process. This will work to the principles set out above for annual reviews with the following additions/changes:

* Arrangements must be made to provide information and support to parents and young people about the transfer review process including information about how any disagreements can be resolved
* All existing relevant assessments about the child/young person including but not limited to those related to the current statement and most recent reviews or the LDA should be used to inform the EHC needs assessment
* Consideration should be given to what, if any, additional or updated assessments and advice may be required. This will be in consultation with parents, young people, education settings, advice givers and other members of the team around the child/young person. This will balance the requirement not to burden the young person or family with unnecessary additional assessments with the need to ensure comprehensive and current evidence is available as part of EHC needs assessment to inform planning
* A member of the SEN Team will always meet with the parents and young person as part of the transfer review process. This will normally include attendance of the SEND lead practitioner at the annual/transfer review meeting
* If an EHC Plan is required this will include the one page profile and single holistic, outcome focused support plan.

The transfer review process should normally start within 12 months of the previous annual review or statement being issued. However in the first year of transfer reviews, school year 2014-15, government guidance gives greater flexibility to allow time for new staff to be recruited and trained and while we develop the transfer review process. Some transfer reviews due during this school year may therefore be scheduled later than the date set by the school. We will tell parents, young people in year 11 and above and schools when we propose to start each transfer review and will give notice when we propose to carry out the transfer review process later than the review date set by the school.

We will prioritise timely transfer reviews for the following children and young people:

* Any child in early years with a statement transferring to school
* Children in infant schools transferring to a separate junior school
* Children transferring from primary to secondary schools
* Young people transferring from secondary to FE or apprenticeship
* Children who need to transfer between mainstream and special schools (in either direction)
* Any other transfer we are required to prioritise by government guidance.

This means that transfer reviews for children in year 2 (who are not transferring from infant to junior) and year 9 are the most likely to be arranged later than the date scheduled by their school during the year 2014-15.

### EHC Plan annual reviews

We have revised the review paperwork for EHC Plan annual reviews when these start in the academic year 2015/16. EHC Plan annual reviews will build on the existing annual review process. Education settings should schedule annual reviews as previously. The lead professional (with the key person in school if different) should ensure that the whole of the team around the child/young person is involved in the review process. Where the EHC Plan includes or links to plans subject to different legal frameworks and review requirements, these must be coordinated with the annual review of the EHC Plan. The review will work to the principles set out above for annual reviews and transfer reviews.

### LDAs and EHC Plans in the Further Education (FE) sector and up to 25

Existing LDAs and support for young people in further education will continue from 1st Sept 2014. Where changes to top-up funding are needed, or top-up funding appears to be needed for a student who does not have an LDA or EHC Plan this should be discussed with the SEN Team. We continue to have some scope to provide support without a statutory assessment, so that statutory assessment requests will only need to be made when specialist support through an EHC Plan appears likely to be necessary.

Colleagues in the Youthconnect service (formerly Connexions and the youth service) and further education settings are encouraged to advise the SEN Team if any young person currently supported in further education through an LDA appears to require a transfer review/EHC needs assessment. In addition to this all young people with an LDA may request an EHC needs assessment, and are encouraged to contact the SEN Team directly or through parents or other members of their support team to discuss this if they believe they require the support of an EHC plan.

We are working with the FE sector on the SEND reform and this work will include developing the arrangements for statutory assessments and annual reviews of EHC Plans for young people in FE colleges or other non-school settings post 16. For more detail of the new requirements and how they affect further education please see the further education chapter of the revised draft code of practice. Adult services and other partners are involved in the work on SEND reform to make sure that EHC Plans support young people to achieve stability and good life outcomes in adulthood including employment, independent living, good health and community participation. We will publish more information about all of these arrangements in B&NES as they are developed.

### Information, advice and support for parents and young people

Information about the arrangements to support disabled children and young people, those with SEN and their families in B&NES were published in the B&NES Local Offer on 1st Sept 2014. Arrangements will be made to answer any questions that arise. There is already a lot of information available about local plans for SEND reform as well as the changes nationally – see the web links below for more information. The information in the local offer and about the SEND reform locally is being updated constantly as we continue to review the information about services and support in the light of the reform; learn from experience and feedback and develop good practice in EHC needs assessment and planning.

The B&NES Parent Partnership Service provides independent support to parents of children and young people with SEN now and will be able to provide independent support with EHC Planning and the transfer process. This service can be contacted at [parent\_partnershipservice@bathnes.gov.uk](mailto:parent_partnershipservice@bathnes.gov.uk) or 01225 394382.

The Shout Out advocacy service at Off the Record currently provides an advocacy service for disabled children and young people. From 1st Sept they will provide an independent advocacy service for young people from their year 11 reviews. More information will be published about this when these arrangements are completed.

Independent Support for parents and young people has also been commissioned by the government from an organisation called KIDS.

To find out more about the independent support that is available from any of these services contact the Parent Partnership Service who will be able to provide more information and signpost to the most appropriate service.

### How to find out more and how to comment on this plan

For more detail of the model and arrangements for delivery of SEND reform in B&NES please see our local offer ([www.bathnes.gov.uk/localoffer](http://www.bathnes.gov.uk/localoffer)). This page includes a link to our EHC planning information pack with copies of our EHC Plan format, timelines, EHC needs assessment and transfer review paperwork, formats and guidance for advice givers and more.

For more detail of the new legal framework for SEND please see the SEND code of practice (<https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/342440/SEND_Code_of_Practice_approved_by_Parliament_29.07.14.pdf>).

This plan has taken account of the government guidance on transitional arrangements (<https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/348591/Transition_to_the_new_0_to_25_special_educational_needs_and_disability_system_statutory_guidance_for_local_authorities.pdf>).

For updates on SEND reform in Bath & North East Somerset visit our webpage ([www.bathnes.gov.uk/SENDreform](http://www.bathnes.gov.uk/SENDreform)) or visit and like our Facebook page ([www.facebook.com/SENDreform](http://www.facebook.com/SENDreform)).

To discuss detailed arrangements for and individual transfer review contact the SEN Team on **01225 394306, or email** [Special\_EducationalNeeds@bathnes.gov.uk](mailto:Special_EducationalNeeds@bathnes.gov.uk).

To find out more about the independent information advice and support available contact the Parent partnership Service on 01225 394382 or email [parent\_partnershipservice@bathnes.gov.uk](mailto:parent_partnershipservice@bathnes.gov.uk).

We welcome comments on and questions about this transfer (transition) plan. Please email [SEND\_info@bathnes.gov.uk](mailto:SEND_info@bathnes.gov.uk). The plan is a working document and will be implemented flexibly, and will be updated and improved in the light of experience and any comments or questions received. This is the second version of the plan updated in the light of experience and feedback received to date.

### What does it all mean? *A key to some of the language used in this plan and what it means.*

SEND = Special Educational Needs and Disability

SEND reform = national programme of change to the way disabled children & young people, those with SEN and their families are supported. The law is changing from 1st Sept 2014, and the new way of working will be phased in by April 2018.

Statutory assessment/EHC needs assessment = assessment process in line with the legal framework for SEN leading to a possible statement of SEN (until 1st Sept 2014) or EHC Plan (from 1st Sept 2014)

Statement of SEN = plans for special educational provision issued for children & young people with complex SEN under the current legal framework. Statements will no longer be issued from Sept 2014 and will be phased out by April 2018

Transfer review – review of a statement and EHC needs assessment to consider transfer to an EHC Plan

Transitions – transitions take place when children or young people start in pre-school, start school, move between key stages in education or between education settings and when young people leave education or move onto higher education

Preparing for adulthood – often referred to as transition to adulthood – we should support children to prepare for adulthood from the earliest stages, and their EHC Plans and reviews from year 9 (age 14) will have a particular focus on this transition

LDA = Learning Difficulty Assessment – an assessment of support needed post 16 for young people with a statement of SEN. LDAs will no longer be carried out from Sept 2014 and will be phased out by Sept 2016. Young people with an LDA will be considered for transfer to an EHC Plan

EHC Plan = joined up plans for education health and care support that will replace statements of SEN and LDAs between September 2014 and April 2018

B&NES = Bath & North East Somerset – the area served by B&NES Council and Clinical Commissioning Group (for health services).

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