

Updating our SEND Information Report in light of COVID-19, school closures and SEND provision

What are the entitlements of children and young people with SEN when schools are closed due to Coronavirus?

All schools have been ordered to effectively close, remaining open to provide education for the children of key workers, and 'vulnerable children.'

Vulnerable children include those who have a social worker and those with an Education Health Care Plan (EHC plan). The majority of children with SEN, who receive SEN Support at school but do not have an EHC plan, would be expected to stay home unless they have a social worker or a parent/carer who is a key worker.

Do I have to send my child to school?

Despite schools staying open for some children, the guidance is quite clear:

'If it is at all possible for children to be at home, then they should be.'

If you feel it would be too high risk to send your child to school because they, or someone else in your family, is at particularly high risk, there is no requirement to send your child in.

Under the Coronavirus Act, the criminal penalty for parents failing to send their children to school is to be temporarily disapplied.

If my child has an EHC plan, doesn't the local authority have a legal duty to deliver provision?

From a legal perspective this remains the case. However, given the likely significant disruption to staffing, it may be very difficult for schools or local authorities to deliver precisely the provision in the EHC plan, particularly over the next few weeks.

The Government passed the Coronavirus Act 2020 which gives temporary emergency powers to the Government to issue a notice (a month at a time) that would modify the legal requirements on Local Authorities in relation to Education, Health and Care Plans. If this notice is issued it would be in relation to two key areas:

The absolute duty to make the provision in an EHC plan (section 42 of the Children and Families Act 2014) is to be temporarily amended to a 'reasonable endeavours' duty. This means that during the specified period the LA needs to do whatever it

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reasonably can to put provision in place, but if they cannot do so they would not necessarily be breaching the law.

Disapplying the duty to undertake annual reviews of EHC plans.

Again, if there could be a risk to the child or young person's health, wellbeing or safety if they do not receive a particular provision or intervention, this should be raised with the school and Local Authority without delay.

What is the advice from the Secretary of State for Children?

On 24th March 2020, the Secretary of State for Children, Vicky Ford, issued an open letter to children and young people with SEN), their parents/carers and families, and all others who support them.

In this letter, the Minister makes clear that:

'[...] nurseries, schools, special schools, colleges and other training providers should undertake a risk assessment to establish the individual needs of each child or young person with an Education, Health and Care (EHC) plan. This assessment should incorporate the views of the child or young person and their parents. This will inform the decision about whether they should continue in school or college, or whether their needs can be met at home safely.

If needs are best met at schools or colleges, we will support their school or college to meet their needs, wherever possible. For those on SEN support, schools, colleges and local authorities have discretion to use the same risk judgement to decide whether home or school is the safest setting for these children. It is, however, important that as many children as possible remain at home during this time in order to help reduce transmission rates.'

My child was due to have an annual review. What will happen now?

Under the Coronavirus Act, the requirement to carry out annual reviews may be temporarily disapplied where this is considered to be *'appropriate and proportionate.'* However we will continue to hold annual reviews if at all possible. This will of course need to be carried out remotely and we will speak to you first about how this will be managed to ensure that the contribution of parents and children/young people are at the heart of the process.

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If you feel there is an urgent need to amend the provision or placement in the child or young person's EHC plan we will talk to the LA around this but we have been advised that routine forums to discuss this will not be taking place.

My child is still attending school. How will my child's learning be supported at school?

It is important to note the school will not be providing a full curriculum, we will be providing care for the children and incorporating education provision and a range of activities, but this will NOT be fully in line with their EHC provision. We will require all staff and pupils to adhere to social distancing guidelines when in school and pupils will be asked to carry out their online learning as they would at home.

How can I support my child's learning at home?

If a child has an identified SEN (EHCP or SEN Support), the class teacher will take account of their needs when planning for and providing work to be completed at home. This may include:

- suggesting different ways in which children can present their work;
- giving more detailed instructions;
- providing parents with suggestions to make tasks more practical in nature;
- providing alternative work which is targeted at their level of need where they may not ordinarily access curriculum subjects at age expected levels.

School has a number of resources available to help you support your child at home during this period.

Teachers in school and nationally have continued working to improve online learning for pupils. At St.Paul's we have asked teachers of pupils with SEND to take a closer look at the tasks set for pupils and adjust them as required. ItsLearning should remain the first port of call for your child's learning. If it is not accessible then please continue to let subject teachers know so that we can respond.

Nationally there are resources available to teachers and parents to support on line learning. The BBC has launched support materials for pupils in the core subjects. You can access these through the BBC Bitesize area <https://www.bbc.co.uk/bitesize/dailylessons>. Here you can look for activities in a lower year group that would support learning. You may be directed to work here through itsLearning or if you are stuck for things to do you can access learning that is of interest from younger year groups. Teachers have also bought materials together in the Oak Academy site. Again we have directed teachers to look at these and you

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can access them at home as well. <https://www.thenational.academy/> In addition to this you can also access worksheets on <https://www.gov.uk/government/publications/coronavirus-covid-19-online-education-resources/coronavirus-covid-19-list-of-online-education-resources-for-home-education> Again look at the work your child has been doing and link it to the ability of what you can see they have been doing in books.

ItsLearning is the first port of call as it will link to the curriculum pupils would have been following in school week by week and lesson by lesson. I would encourage you to do all that you can that is set but if it is not working for you let us know. Remember that real life experiences of baking, cleaning, noticing things in nature, gardening, talking about stories, reading and playing games have real concrete educational value.

We don't know when we will be back in school but we are beginning to think about how we reintegrate pupils with SEND and are planning 'catch up' programmes around core skills.

How can I help my child cope with the changes?

We understand that this is a significant change for many families. Please give yourself time to adjust to a new routine and above all, do not place too much pressure on yourself or your child to complete schoolwork. Maintaining positive mental health and emotional wellbeing is very important. The mental health charity MIND have provided some initial information which we are happy to share. We have also included a social story from the MKC Local Offer site.

[Coronavirus and your wellbeing](#)

[How can I cope with changes to school / college?](#)

[Coronavirus- a social story](#)



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Who can I contact?

We realise that these are difficult times for everyone. If you have any concerns or queries please contact ruth.holmwood@st-pauls.org.uk; sam.tingey@st-pauls.org.uk; nicola.bradley@st-pauls.org.uk.

Other links:

[Open letter from Secretary of State for Children 24.03.2020](#)