

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Education, Skills and Culture Cabinet Board

18th October, 2018

**Report of the Head of Transformation
Andrew Thomas**

Matter for information

Wards Affected: All

Additional Learning Needs Statutory Processes

Purpose of the Report

- To provide Members with information regarding statutory processes for learners with Additional Learning Needs (ALN).
- To provide Members with information in relation to current data in relation to pupils with ALN.

Executive Summary

- This report provides members with an overview of the referral routes and processes involved for a request for a statutory assessment of Special Educational Needs (SEN), as set out in the current Code of Practice for SEN and current legislation.
- This report will provide Members with details of the latest available data and current position in relation to the number of requests for statutory assessment, growth in areas of need and specialist provisions.

Background

The Current Code of Practice for SEN (2002), provides guidance to LAs, maintained schools, early years settings and other services on carrying out statutory duties to identify, assess and make provision for a child's special educational needs.

The Code sets out guidance on policies and procedures aimed at ensuring early identification of any possible need, a continuing process of assessment and appropriate intervention through a graduated response. Children, young people and their parents should be involved at every stage and their views taken into account in decision making.

For the vast majority of children their mainstream setting should meet all their special educational needs.

The graduated response sets out a model of action and intervention, namely:

School Action: school based assessment, differentiation and intervention additional to or different from those provided as part of the school's usual differentiated curriculum. Strategies and progress should be recorded within an Individual Education Plan (IEP). In many cases the action taken will mean that the child's needs are met and progresses made.

School action Plus: as above, however, should the child's needs continue to cause concern, and only when school have exhausted all available resources additional support and advice is requested from outside professionals and agencies.

These interventions should not be seen as hurdles to be crossed before statutory assessment.

Deciding whether or not a statutory assessment is necessary

Where a request for a statutory assessment is made by a school to the LA, the school will have demonstrated a significant cause for concern and the LA will require evidence and clear documentation regarding the pupil's progress over time, strategies implemented and advice from an external agency.

Should the LA decide not to undertake a statutory assessment it must inform the parents as to the reasons this decision has been taken and also inform them of their right to appeal.

A statutory assessment will not always lead to a statement. The information gathered during a statement may indicate the ways in which school can meet the child's needs without provision determined through a statement.

Routes for referral

A child or young person will be brought to the LA's attention as possibly requiring an assessment through:

- A request for an assessment by the child's school or setting
- A request for assessment from the parent
- A request for assessment by another agency e.g. Health

The LA should ensure that the process is carried out in a timely manner. There are circumstances in which the normal time limits do not apply (Appendix 1).

Decision whether or not to issue a statement

The decision whether or not to issue a statement is taken by a SEN panel, members of which consist of LA officers, specialist professionals, headteachers, SENCos and other agencies.

Where a statement is agreed, consideration will be given to the child's main area of need, additional needs and provision. The LA must name the maintained school (mainstream or special) of the parents' choice. Where the decision to not issue a statement is made, a Note in Lieu (NIL) is issued and parents will be informed of the reasons for the decision and of their right to appeal.

All statements should be reviewed at least annually; the review should be person centred and involve the child, parents, the school and other professionals.

Statements should be maintained only when necessary. The LA may cease a statement for a child with SEN after careful consideration, should it be agreed that a statement is no longer necessary to meet the child's needs.

The current position in NPT

Requests for statutory assessments have risen exponentially from 179 in 2014/15 to 229 in 2017/18.

The growth areas of need for pupils with statements of SEN are:

- Autism (ASD)
- Social, Emotional and Behavioural Difficulties (SEBD)
- Speech, Language and Communication Difficulties (SLCD)

(Appendix 2)

There has also been a significant rise of movers into Neath Port Talbot with more complex needs with 30 pupils with SEN moving into NPT in 2017 and an additional 9 pupils with SEN from September to October 2018.

This in turn puts significant pressure on mainstream and specialist placements.

Recommendations

- That Members note the content of the report and the information provided.

Appendices

Appendix 1: Statements of Special educational Needs

Appendix 2: Statements by Area of Need

List of Background Papers

None

Officer Contact

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