

## Bright Futures Parent Support

Is your child struggling at school? Do you worry that your child may have special educational needs (SEN) and feel confused about how to get these needs recognised and/or how to work towards securing an Education, Health and Care (EHC) needs assessment or EHC Plan?

### One possible way forwards:

If your child/young person is struggling at school, they may have special educational needs (SEN). Any child who may have SEN is entitled to an assessment called an 'Education, Health and Care (EHC) needs assessment'. An EHC needs assessment can lead to an EHC Plan (EHCP). An EHCP is a legal document which describes a child's special educational needs and sets out what provision should be put in place to meet these needs. The local authority that issues the EHCP has a legal duty to ensure that the child receives this provision.

Parents often tell me that they are being told by their child's school or by other professionals that 'He won't qualify for an EHC needs assessment' or 'no-one gets EHC Plans now that they've been changed over from statements' or 'he doesn't have special educational needs so he won't get an assessment.'

In my experience, the reason children aren't considered for an EHC needs assessment often comes down to the fact that schools are unaware of their duties towards children who may have SEN and parents are unaware of their own and their children's rights when it comes to SEN law. So, as parents, if we want to get things moving, it's time for us to 'tool up.'

What I usually suggest is that parents adopt the BODY method.....B\*\*\*\*r Off and Do it Yourself. Take control of the process, collect evidence yourself, manoeuvre the school into having no option but to help collect and present the evidence that an EHC needs assessment is required.

### How do you do this?

1. Start keeping a daily diary. Make notes on how your child is feeling every day. Are they showing or articulating anxiety about going to school? Write it in the diary. Are there instances at school where they are not supported and/or understood? Write them in the diary. Are you being called into school because the school has concerns? Write that in the diary. Is the school raising concerns about 'behaviour'? Write that in the diary. Include any observations and information you feel is relevant to your child's difficulties in school and the impact of these difficulties on your child (even when the impact plays out at home rather than at school).

Is there a pattern over time showing that your child is unhappy and/or anxious about school and/or that they are frequently 'getting into trouble\*'? If yes, then you have a potential **red flag** for special educational needs.

\*Usually this means that the school is not understanding and/or not supporting the child appropriately, rather than that the child is intrinsically 'naughty'.

2. Familiarise yourself with the SEN Code of Practice. It's now your bible for all things SEN related.

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/398815/SEND\\_Code\\_of\\_Practice\\_January\\_2015.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/398815/SEND_Code_of_Practice_January_2015.pdf)

3. Make sure you do all your communication with school and/or the local authority IN WRITING. If you have a phone conversation, follow it up in writing by email or letter to confirm your discussions and any points for action.
4. Get hold of a copy of your child's school's SEN Policy (it should be on the school web site – if not, email or write and ask for a copy). What does it say in there about how the school identifies special educational needs if they are suspected? Is the school following that procedure?
5. Get hold of a copy of your child's most recent school report or whatever document shows their national curriculum levels (or whatever methods are used by the school to measure progress). Is your child at the expected level for their age? National curriculum levels and average progress can be found here: [http://www.education.gov.uk/schools/performance/archive/ks3\\_05/k5.shtml](http://www.education.gov.uk/schools/performance/archive/ks3_05/k5.shtml) but please note that your child's school may use alternative measures of progress. One rule of thumb for expected rate of progress is that under national curriculum levels, a child was expected to make 2 sub-levels of progress per year. Another rule of thumb is whether your child is making academic progress (however the school measures it) at the same rate as their peers.

If your child isn't making this kind of progress, you have a **red flag** for possible SEN.

6. Do you have concerns about your child's social and emotional development – if so, what are they? Make a list.

The SEN Code of Practice says at point 6.18 that 'progress' can also include 'progress in areas other than attainment – for instance **where a pupil needs to make additional progress with wider development or social needs** in order to make a successful transition to adult life.'

Here are some examples (taken from a real case) of concerns about wider development or social needs:

<b>Details of needs/difficulties</b>
1. Difficulty complying with (what others might consider) small adult demands in school
2. Unpredictable emotional outbursts leading to challenging behaviour that includes screaming in faces, kicking and hitting out, throwing objects
3. Poor understanding and use of non-verbal communication
4. Inflexible thinking
5. Inability to make and maintain friendships
6. Poor eye contact (social referencing)
7. Difficulty taking on board someone else's point of view
8. Difficulty staying within adult limit and boundaries
9. Difficulty managing uncertainty or change leading to a reliance on routine

If your child consistently exhibits any of these, you have another **red flag** for possible SEN.

7. Present your case (your **red flags**) at a meeting with your child's SENCO. Every school has a SENCO – it's the teacher responsible for SEN within the school. You will be showing:
  - The evidence from your daily diary showing a pattern or patterns over time
  - The evidence (from your child's documented academic progress) that your child is not making progress at the same rate as their peers
  - The evidence from your list of social/emotional difficulties that your child is lagging developmentally

Use what it states in the school's SEN Policy about how the school identifies SEN and what steps the school will now take.

Use the SEN Code of Practice to **remind the school of their legal responsibility** towards your child.

At 6.19, the SEN Code of Practice states that the first response to poor progress should be high quality teaching targeted at their areas of weakness. Where progress continues to be less than expected the class or subject teacher, working with the SENCO, should assess whether the child has SEN. While informally gathering evidence (including the views of the pupil and their parents) schools should not delay in putting in place extra teaching or other rigorous interventions designed to secure better progress, where required. The pupil's response to such support can help identify their particular needs.

8. Ask the school what they are now going to put in place to address your child's poor progress (identified in your red flags).

**Put the ball back into their court.....this is the school's responsibility.**

- What will they put in place to help your child make academic progress at the same rate as their peers?
  - What will they put in place to address each of the social/emotional difficulties that you have outlined?
  - Over what timescale will these measures that they are putting in place be monitored and when will the meeting be to review whether the measures have worked?
9. After the meeting, **follow up in writing** to confirm what was discussed together with actions points, who is doing what and timescale for review.
10. After the agreed timescale, if progress has not improved, or if it has only improved due to the additional intervention and support over and above what is usually provided, you should have enough evidence to convince the school that an EHC needs assessment is necessary. The criteria for this are covered in 9.14 of the SEN Code of Practice. Given the weight of your evidence (your red flag info), you may also want to consider asking the school to commission a report from an Educational Psychologist to provide 'information about the nature, extent and context of the child or young person's SEN'.
11. Celebrate! You have done well, Grasshopper!

