Introduction

In 2011 the Government decided to make some changes to how parents, carers and children could get the help they needed, and so for the last 3-4 years they have been consulting with parents, professionals working in education, health and social care as well as taking into account inquiries undertaken by Brian Lamb and Ofsted. Waltham Forest Parent Forum has fed back parents' views during this consultation process, most recently views on the draft of the new SEN Code of Practice.

As a result of all the consultation, the Government proposed new legislation-The Children and Families Bill. The Bill has been progressing through various stages of scrutiny and Parliament (House of Commons and House of Lords) since 2012. The Bill has just received Royal Assent, which means that it has become the Children & Families Act 2014. The Act looks at lots of areas relating to children and families. Section 3 of the Act relates to planned changes to the Special Educational Needs (SEN) system. The changes to law relating to the Special Education Needs system will come into effect from September 2014.

This Act will bring about the biggest changes to SEN in 30 years.

It is hoped that the new SEN legislation will help address the frustrations many parents have with the current SEN system — information is often hard to find and difficult to understand, the experience of being passed from one professional to another and back again, decisions being made without the parent or child’s views being taken into account, difficulties at key transition points (e.g. moving from infants to juniors, or secondary to college) and often poor relationships and high levels of conflict between parents and practitioners.

"The current system is outdated and not fit for purpose. Thousands of families have had to battle for months, even years, with different agencies to get the specialist care their children need. It is unacceptable they are forced to go from pillar to post, facing agonising delays and bureaucracy to get support, therapy and equipment.

These reforms will put parents in charge. We trust parents to do the right thing for their own child because they know what is best. The right to a personal budget will give them real choice and control of care, instead of councils and health services dictating how they get support.

It is a huge step forward to require health, education and care services work together. The reforms will give parents better information and a comprehensive package of support that meets their need."-Sarah Teather (Children’s Minister 2012)

Unfortunately is not possible to go into a high level of detail within this short introduction leaflet, or to list all of the changes that are coming into effect. This leaflet has been written to give you a basic overview of the changes and to provide you with details of where you can go for more information.
Key Principles: Section 19 of the Children and Families Act

The Children and Families Act, as we have noted, responds to concerns from parent carers about the current SEND system. It includes some key principles designed to improve their and their children’s experiences. These are:

- The importance of taking into account the views of children, young people and parent/carers and ensuring they participate fully in decisions
- The importance of supporting parents and children to participate fully in these decisions
- A focus on outcomes for the child or young person. The Act requires all education, health and care services to look at how they support children and young people in a way that improves progress and supports the outcomes and aspirations they want and need in their lives
- Better joint working and commissioning of services between education, health and care services to improve the experiences of children, young people and their parent carers.

Who is this for?

This new SEND legislation will now cover the age range 0-25 years. Not everyone will have an EHC plan until the age of 25 however. This would only be if more time is needed to complete education or training.

The eligibility for support should remain the same as currently exists for SEN statements. This Bill should not change who is eligible for extra support.

When does this all begin?

The Act will be implemented in stages from 1st September 2014. All current statutory requirements will stay in place until:
• the new legislation is implemented
• the new regulations come into force
• the new Code of Practice is issued

What will happen?
When?

• From 1st September all new assessments will be Education, Health and Care (EHC) assessments.
• A national transition plan will begin to transfer from statements to EHC plans. This will take 3 years for those with statements
• EHC plans will also replace Learning Disability Assessments (LDAs, sometimes called S139a) for young people remaining in education post 16 (except Higher Education). Those already with an LDA will transfer to EHC Plans within 2 years.
• The initial Local Offer should be published.

What does this mean for families in Waltham Forest?

There are many changes that will take place. Unfortunately is not possible to go into a high level of detail within this short introduction leaflet, or to list all of the changes that are coming into effect. This leaflet has been written to give you a basic overview of the changes and to provide you with details of where you can go for more information.

Education, Health and Care Plans will replace Statements of Special Educational Needs and Learning Disability Assessments (LDAs). From September 2014, no new statements or LDAs will be available. In stages, over the next few years, children with an existing statement will have their statement transferred to an Education, Health and Care Plan. There will be agreed procedures for the changeover and parent carers and young people will have a say in these. Existing rights, for example rights of appeal, will continue during the transfer. The statutory assessment process is being reduced from 26 weeks to 20 weeks (from request for assessment to the issue of the new Education, Health and Care plan).

Education, Health and Care Plans can continue to support young people up to the age of 25 if the Local authority considers that the young person needs more time to complete their education or training.

Academies and free schools will be covered by the Children & Families Act and have the same requirements placed on them as local authority maintained schools.
SEN support will replace School Action and School Action Plus. Schools will still be required to identify children who need additional support, involve parent carers and children and young people in planning how to meet these needs and call on specialists from outside the school when they need to.

Local offer - from September 2014 every local authority will be required to have a “local offer” which informs parent carers and young people with SEN or disabilities what is provided in their local area, including what to expect from local early years providers, schools, colleges, health and social care. In addition it will include information on how decisions are made about how services are allocated, how to request a personal budget, how to access more specialist support and how to complain or appeal. Local authorities must involve parent carers, children and young people in developing their local offer.

Personal Budgets
Parents and young people will be able to request a personal budget once the authority has said an EHC plan is necessary, or when the authority is undertaking a statutory review of an existing single plan. Local authorities will have to consider this request and offer information to parents to help them to decide if they wish to make such a request.

Information and advice Local authorities already have to make information and advice available to parent carers about SEN, through parent partnership services. From September, local authorities must make information and advice available that also covers disability, health and social care and is also available directly to young people as well as parent carers - building on the services (like parent partnership services) they already have in place.

Families with children or young people going through a statutory assessment leading to an education, health and care plan may also be able to get help from an Independent Supporter – someone who doesn’t work for the local authority who can help parents and carers, and young people, through the process.

What is happening in Waltham Forest now?
A great deal of work has already taken place in the borough and it continues, at a pace, as we head towards the implementation date of 1st September.
What has been achieved so far?

**Waltham Forest SEND Transformation Board** – A SEND Transformation board made up of the Waltham Forest Families Leadership team, Waltham Forest Clinical Commissioning Group representative and a Waltham Forest Parent Forum representative will oversee the implementation of the SEN reforms in Waltham Forest. Each of the workstreams that have been set up will report into this board on a monthly basis to highlight any issues that may have come to light and to check that everything is running to plan and on time.

**Waltham Forest Implementation Workstreams**

The key lead for implementing the reforms in the borough is Andy Beckett, Interim Head of Inclusion, SEN Team. Andy has set up five project work streams to look at different aspects of the reforms. Each workstream has representatives across education, health and social care as well as parent carers. The five workstreams are:

1. **Assessment and Planning** – The workstream has produced a pathway to EHC Planning which explains the steps to the process. It has also produced a template for the new Education, Health and Care plans which will replace statements as well as looking at how these plans will be implemented and the training needed for schools, health and social professionals, parents and children.

2. **Local Offer** - This workstream will carry out an audit of the current services available to families of disabled children in and around the borough, look at service gaps, the design of the web site which will hold all the information about services and look at how parents, children and young people can be part of the development of the local offer over time.

3. **Personal Budgets** - This workstream will look at supporting families to use personal budgets if they request one.

4. **Joint Commissioning** - This workstream will look at the joint commissioning of services across education, health and social care.

5. **Workforce Development** - This workstream will look at the training needed for schools, borough officers, healthcare professionals, parents and children in order to implement the SEND reforms in Waltham Forest.

**Other achievements**

- Person centred planning approaches
- An agreed planning pathway
- An initial EHC plan template
- A draft school Local Offer framework
- Designs for the Local Offer website

**How are Parent Carer Forums involved?**

Parent carers, children and young people are at the heart of the new reforms and consequently parent carers forums around the country are getting involved in planning for
these changes in their local area and are working strategically with their local authority and health partners.

How has Waltham Forest Parent Forum been involved so far?

- Since September 2013 forum members have been attending national consultations and conferences on the Code of Practice on behalf of the forum to gather information to share with members.
- The forum invited its members to form a focus group to write a formal response to the proposed Code of Practice. We were able to collate these views and submit them to the Department of Education as a collective response.
- **Shared Vision** - The forum has started to gather parent views on a shared vision for Waltham Forest. Below are some of the suggestions so far

  ‘To help support children and young people with special educational needs and disabilities aged 0 to 25 to lead an ordinary life with their families.’

  ‘To ensure that people with learning difficulties and disabilities live well, have good healthcare and achieve their goals in life and are able to work not only within the local community but anywhere in the wider world.’

  ‘To help children and young people with learning difficulties and disabilities become independent, and help them learn life skills.’

- The forum has organised two parent carer conferences. These conferences had guest speakers from national organisations who are at the forefront of developing the SEND reforms as well as the key lead people in the borough who will be responsible for implementing the code in Waltham Forest. This enabled parents and professionals to share experiences and develop partnership working.

In the future:

- Waltham Forest Parent Forum will continue to work hard with the Local Authority and health partners so that they can meet the needs of our SEND children through participation and consultation.
- We will ensure that the views of parent carers, children and young people are listened to.
- We will ensure that parent carers, children and young people are at the heart of the new system
- Through regular updates we hope to keep families informed about the coming changes
How can parents get involved?

Parent carers can get involved in planning for these changes in the borough by joining Waltham Forest Parent Forum (WFPF). Together we can make a real difference by sharing ideas and thoughts.

It is entirely up to you how you participate in the forum – it may be just by being a member and receiving information and updates, or you may want to get more actively involved and make sure those who are making decisions know what parent carers think.

By joining WFPF you will be able to add your voice and become part of a large parent group which currently represents 40% of all the families in the borough with a SEND child or young person.

Get in Touch

Waltham Forest Parent Forum

Office: 92 Leyton Green Road, Leyton, London E10 6DA

Website: www.walthamforestparentforum.com

Email: walthamforestparentforum@live.co.uk

Telephone: 07528 433640 / 07794 298496

Any worries?

- You can talk to the SENCO at your child’s school or the person responsible for SEND support at your child’s college and ask them what they are doing to prepare for these changes
- Contact Parent Partnership for advice and support

Parent Partnership Service Waltham Forest

Deborah Freeland and Christine Willett

Parkside Centre

Peel Close

Chingford, E4 6XQ
Further information on the reforms:

There are lots of useful resources online. We suggest the following links from the Council for Disabled Children would be worth looking at:

www.councilfordisabledchildren.org.uk/childrenandfamiliesbill
www.councilfordisabledchildren.org.uk/childrenandfamiliesbillfaqs
www.councilfordisabledchildren.org.uk/media/529424/top-cf-bill-myths-ehc-plans.pdf

Also:

www.gov.uk

www.ipsea.org.uk
http://www.ipsea.org.uk/Apps/Content/News/?id=516

www.cafamily.org.uk
http://www.cafamily.org.uk/what-we-do/parent-carer-participation/

www.parentpartnership.org.uk
http://www.parentpartnership.org.uk/documents/special-educational-needs/

Acknowledgments

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www.councilfordisabledchildren.org.uk
www.gov.uk
www.interface-parentforumredbridge.org.uk
www.parentpartnership.org.uk